

No. 51
STATE OF MICHIGAN
Journal of the Senate
97th Legislature
REGULAR SESSION OF 2013

Senate Chamber, Lansing, Wednesday, May 29, 2013.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Brian N. Calley.

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Ananich—present
Anderson—present
Bieda—present
Booher—present
Brandenburg—present
Casperson—present
Caswell—present
Colbeck—present
Emmons—present
Green—present
Gregory—present
Hansen—present
Hildenbrand—present

Hood—present
Hopgood—present
Hune—present
Hunter—present
Jansen—present
Johnson—present
Jones—present
Kahn—present
Kowall—present
Marleau—present
Meekhof—present
Moolenaar—present
Nofs—present

Pappageorge—present
Pavlov—present
Proos—present
Richardville—present
Robertson—present
Rocca—present
Schuitmaker—present
Smith—present
Walker—present
Warren—present
Whitmer—present
Young—excused

Minister Gary Singh of Guru Nanak Sikh Center of Lansing offered the following invocation (English translation):

To the One Creator of Creation, the all-glorious and all-victorious being, we ask Thy blessing on us all. To Thee we offer this prayer as recited by the Tenth Guru.

After first worshipping the Adi Shakti, the Primal Power, let us meditate on Guru Nanak, Guru Angad, then Gurus Amar Das and Ram Das. May they grant us their protection. Remember Gurus Arjun, Hargobind, and Siri Har Rai. Meditate upon Siri Har Krishan, upon seeing whom, all sufferings shall depart. Meditate on Guru Teg Bahadur and the nine treasures shall come to us. May he grant us every assistance. Great, great is Guru Gobind Singh, Protector of the Faith and Master of the Unity. May he protect us everywhere. Remember the Light of the Ten Gurus, the Living Guru, the Word of God and Truth of truths, the Siri Guru Granth Sahib. By meditating the Word, all sufferings vanish. Meditate, Oh Khalsa Ji, Sat Nam! Siri Whahe Guru!

Remember the four sons of the Tenth Master, the Five Beloved Ones, the Forty Liberated Ones, the Four Holy Thrones, all the dwelling places of the Guru. Meditate, Oh Khalsa Ji! Sat Nam! Siri Whahe Guru! Those who were true to the Guru, who meditated on the Nam, who shared their earnings and sacrificed for righteousness; think of their deeds, Oh Khalsa Ji! Sat Nam! Siri Whahe Guru!

Remember those who were broken by the wheel, cut up limb by limb, who gave their scalps but not their hair, and those ladies, who for the sacrifice for the truth, gave their dear children and suffered through hunger and pain at the hands of the enemy, but never gave up their faith and their determination to live according to Sikh Dharma, with all their hair, to their last breath. Meditate, Oh Khalsa Ji! Sat Nam! Siri Whahe Guru!

O Lord, bless Thy devotees to ever live in the righteousness of true disciples. Give us the life of the living principle of the Guru's discipline. Grant us the insight, the trust, and the blessing of blessings, Thy name, and a sight and a dip in the nectar tank of Thy Holy Harimandir Sahib. May all flags of the Khalsa, all seats of religious authority, our ashrams and homes prevail through all times. Now call on God, Oh Khalsa Ji! Sat Nam! Siri Whahe Guru!

Now let us again offer our prayer. Let us again remember the name, Whahe Guru! Whahe Guru! Whahe Guru! For as we think of God, so may we be blessed. May God's grace and protection extend to all bodies of the Khalsa wherever we may be. May the Lord's glory be fulfilled and all God's will prevail. May we receive victory from the sword of righteousness (degh) and the charity of brotherhood and sisterhood (tegh). May the holy sword of God assist us. May the Khalsa always prevail. May the choirs of devotees, our banners, and mansions abide forever and ever. May the realm of justice come. May the disciples unite in love. May the disciples be humble but our wisdom be exalted in the keeping of the Lord. Oh Khalsa Ji, say that God is great! Sat Nam! Siri Whahe Guru!

O true king, O universal mother, in the ambrosial hours, we have sung Thy sweet hymns, heard Thy life-giving word, and reflected upon Thy manifold blessings. May all these things find a loving place in our hearts and serve to draw our souls closer to Thee. Save us, O Lord, from the five sins of lust, anger, greed, pride, and attachment, but keep us always attached to Thy lotus feet. Grant to us the gift of Sikh Dharma, the gift of Thy name, the gifts of faith and confidence in Thee, and of reading and understanding Thy holy word.

O, kind father, O loving mother, it is by Thy grace that we have been granted peace and happiness. May Thy grace extend to our labors of each day so that we may do what is right according to Thy will. Please give us the light and understanding so that we may know what pleases Thee. We further offer this prayer in Thy presence, O Lord. In the spirit of Guru Teg Bahadur, with our heads bowed to Akal Purkh, the infinite essence which pervades everywhere and in every one, we pray that all people of the world be granted the freedom to worship the divine Creator in their own way. May the era of tyranny and oppression come to an end and all the people of the earth live in God as one.

Please forgive us our sins. Help us that we may keep ourselves pure. Let us always be in the company of people of love, and may we always remember Thy name in their presence. Through Nanak, may Thy name forever increase and Thy Spirit be exalted, and may all people prosper by Thy grace. Nanak Nam charhdi kala, tere bhane sarbat da bhala.

Whahe Guru Ji ka Khalsa! Whahe Guru Ji Ki Fete!!

The President, Lieutenant Governor Calley, led the members of the Senate in recital of the *Pledge of Allegiance*.

Motions and Communications

Senator Hunter moved that Senator Johnson be temporarily excused from today's session.
The motion prevailed.

Senator Hunter moved that Senator Young be excused from today's session.
The motion prevailed.

Senator Meekhof moved that Senator Green be temporarily excused from today's session.
The motion prevailed.

The Secretary announced that the following House bill was received in the Senate and filed on Tuesday, May 28:
House Bill No. 4743

The Secretary announced that the following bill was printed and filed on Tuesday, May 28, and is available at the Michigan Legislature website:
Senate Bill No. 395

Messages from the Governor

The following message from the Governor was received:

Date: May 28, 2013
Time: 10:31 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 16 (Public Act No. 37), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 43559 (MCL 324.43559), as amended by 1998 PA 95, and by adding section 1616.

(Filed with the Secretary of State on May 28, 2013, at 3:01 p.m.)

Respectfully,
Rick Snyder
Governor

Senator Green entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of
General Orders

Senator Meekhof moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Calley, designated Senator Hopgood as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Calley, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

House Bill No. 4360, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” (MCL 436.1101 to 436.2303) by adding section 903a.

House Bill No. 4361, entitled

A bill to amend 1972 PA 239, entitled “McCauley-Traxler-Law-Bowman-McNeely lottery act,” (MCL 432.1 to 432.47) by adding section 24.

The bills were placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with amendment, the following bill:

House Bill No. 4705, entitled

A bill to amend 1993 PA 331, entitled “State education tax act,” (MCL 211.901 to 211.906) by adding section 5c.

The following is the amendment recommended by the Committee of the Whole:

1. Amend page 1, line 1, after “**THAN**” by striking out “**MAY 25**” and inserting “**JUNE 10**”.

The Senate agreed to the amendment recommended by the Committee of the Whole, and the bill as amended was placed on the order of Third Reading of Bills.

By unanimous consent the Senate returned to the order of
Third Reading of Bills

Senator Meekhof moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage:

House Bill No. 4705

The motion prevailed, a majority of the members serving voting therefor.

Senator Meekhof moved that the following bills be placed at the head of the Third Reading of Bills calendar:

House Bill No. 4705

Senate Bill No. 357

Senate Bill No. 255

Senate Bill No. 327

Senate Bill No. 337

The motion prevailed.

The following bill was read a third time:

House Bill No. 4705, entitled

A bill to amend 1993 PA 331, entitled “State education tax act,” (MCL 211.901 to 211.906) by adding section 5c.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 217

Yeas—36

Ananich	Green	Jones	Proos
Anderson	Gregory	Kahn	Richardville
Bieda	Hansen	Kowall	Robertson
Booher	Hildenbrand	Marleau	Rocca
Brandenburg	Hood	Meekhof	Schuitmaker
Casperson	Hopgood	Moolenaar	Smith
Caswell	Hune	Nofs	Walker
Colbeck	Hunter	Pappageorge	Warren
Emmons	Jansen	Pavlov	Whitmer

Nays—0

Excused—2

Johnson

Young

Not Voting—0

In The Chair: President

Senator Meekhof moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the levy and collection of a state education tax; to provide for the distribution of the tax; and to prescribe the duties of certain local officials and state officers.”.

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 357, entitled

A bill to amend 1972 PA 284, entitled “Business corporation act,” by amending section 778 (MCL 450.1778), as amended by 1993 PA 91.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 218

Yeas—35

Ananich	Gregory	Kahn	Richardville
Anderson	Hansen	Kowall	Robertson
Bieda	Hildenbrand	Marleau	Rocca
Booher	Hood	Meekhof	Schuitmaker
Brandenburg	Hopgood	Moolenaar	Smith
Casperson	Hune	Nofs	Walker
Colbeck	Hunter	Pappageorge	Warren
Emmons	Jansen	Pavlov	Whitmer
Green	Jones	Proos	

Nays—1

Caswell

Excused—2

Johnson Young

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 255, entitled

A bill to amend 1972 PA 230, entitled “Stille-DeRossett-Hale single state construction code act,” by amending section 28 (MCL 125.1528), as amended by 1996 PA 48.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 219

Yeas—36

Ananich	Green	Jones	Proos
Anderson	Gregory	Kahn	Richardville
Bieda	Hansen	Kowall	Robertson
Booher	Hildenbrand	Marleau	Rocca
Brandenburg	Hood	Meekhof	Schuitmaker

Casperson
Caswell
Colbeck
Emmons

Hopgood
Hune
Hunter
Jansen

Moolenaar
Nofs
Pappageorge
Pavlov

Smith
Walker
Warren
Whitmer

Nays—0

Excused—2

Johnson

Young

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 327, entitled

A bill to amend 1941 PA 122, entitled “An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending section 4 (MCL 205.4), as amended by 2002 PA 657.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 220

Yeas—36

Ananich
Anderson
Bieda
Booher
Brandenburg
Casperson
Caswell
Colbeck
Emmons

Green
Gregory
Hansen
Hildenbrand
Hood
Hopgood
Hune
Hunter
Jansen

Jones
Kahn
Kowall
Marleau
Meekhof
Moolenaar
Nofs
Pappageorge
Pavlov

Proos
Richardville
Robertson
Rocca
Schuitmaker
Smith
Walker
Warren
Whitmer

Nays—0

Excused—2

Johnson

Young

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 337, entitled

A bill to amend 1941 PA 122, entitled “An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending sections 27a and 30 (MCL 205.27a and 205.30), section 27a as amended by 2012 PA 211 and section 30 as amended by 1993 PA 14.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 221**Yeas—36**

Ananich	Green	Jones	Proos
Anderson	Gregory	Kahn	Richardville
Bieda	Hansen	Kowall	Robertson
Booher	Hildenbrand	Marleau	Rocca
Brandenburg	Hood	Meekhof	Schuitmaker
Casperson	Hopgood	Moolenaar	Smith
Caswell	Hune	Nofs	Walker
Colbeck	Hunter	Pappageorge	Warren
Emmons	Jansen	Pavlov	Whitmer

Nays—0**Excused—2**

Johnson Young

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:28 a.m.

11:01 a.m.

The Senate was called to order by the President, Lieutenant Governor Calley.

During the recess, Senator Johnson entered the Senate Chamber.

By unanimous consent the Senate returned to the order of
Conference Reports

Senator Meekhof moved that joint rule 9 be suspended to permit immediate consideration of the conference report relative to the following bill:

House Bill No. 4228

The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 4228, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 6, 11, 11a, 11g, 11j, 11k, 11m, 12, 15, 18, 18b, 19, 20, 20d, 22a, 22b, 22d, 22f, 22i, 22j, 24, 24a, 24c, 26a, 26b, 26c, 31a, 31d, 31f, 32d, 32p, 39, 39a, 51a, 51b, 51c, 51d, 53a, 54, 56, 61a, 62, 74, 81, 94a, 95, 98, 99, 101, 102, 104, 107, 147, 147a, 147b, 147c, 152a, 201, 201a, 206, 209, 210, 224, 225, 229a, 230, 236, 236a, 236b, 241, 242, 244, 245, 246, 252, 256, 258, 263, 263a, 264, 265, 265a, 267, 268, 269, 270, 273, 274, 274a, 276, 277, 278, 279, 280, 281, 282, 289, and 290 (MCL 388.1606, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1612, 388.1615, 388.1618, 388.1618b, 388.1619, 388.1620, 388.1620d, 388.1622a, 388.1622b, 388.1622d, 388.1622f, 388.1622i, 388.1622j, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1626c, 388.1631a, 388.1631d, 388.1631f, 388.1632d, 388.1632p, 388.1639, 388.1639a, 388.1651a, 388.1651b, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1695, 388.1698, 388.1699, 388.1701, 388.1702, 388.1704, 388.1707, 388.1747, 388.1747a, 388.1747b, 388.1747c, 388.1752a, 388.1801, 388.1801a, 388.1806, 388.1809, 388.1810, 388.1824, 388.1825, 388.1829a, 388.1830, 388.1836, 388.1836a, 388.1836b, 388.1841, 388.1842, 388.1844, 388.1845, 388.1846, 388.1852, 388.1856, 388.1858, 388.1863, 388.1863a, 388.1864, 388.1865, 388.1865a, 388.1867, 388.1868, 388.1869, 388.1870, 388.1873, 388.1874, 388.1874a, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1889, and 388.1890), sections 6, 11, 26b, and 201 as amended by 2012 PA 465, sections 11a, 11g, 11j, 11k, 11m, 12, 18, 19, 20, 20d, 22a, 22b, 22d, 22f, 24, 24a, 24c, 26a, 31a, 31d, 31f, 32d, 39, 39a, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 74, 81, 94a, 98, 99, 102, 104, 107, 147, 147a, 147b, 152a, 201a, 206, 209, 210, 224, 225, 230, 236, 236a, 241, 242, 244, 245, 252, 256, 258, 263, 263a, 264, 265, 267, 268, 269, 270, 273, 274, 274a, 276, 277, 278, 279, 280, 281, 282, 289, and 290 as amended and sections 22i, 22j, 26c, 32p, 95, 147c, 229a, 236b, 246, and 265a as added by 2012 PA 201, section 15 as amended by 2012 PA 286, section 18b as amended by 2008 PA 268, section 51b as added by 1996 PA 300, and section 101 as amended by 2012 PA 516, and by adding sections 21f, 22c, 22k, 25e, 41, 99b, 236c, 259, and 272a; and to repeal acts and parts of acts.

The House of Representatives has adopted the report of the Committee of Conference.

The Conference Report was read as follows:

FIRST CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning

House Bill No. 4228, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 6, 11, 11a, 11g, 11j, 11k, 11m, 12, 15, 18, 18b, 19, 20, 20d, 22a, 22b, 22d, 22f, 22i, 22j, 24, 24a, 24c, 26a, 26b, 26c, 31a, 31d, 31f, 32d, 32p, 39, 39a, 51a, 51b, 51c, 51d, 53a, 54, 56, 61a, 62, 74, 81, 94a, 95, 98, 99, 101, 102, 104, 107, 147, 147a, 147b, 147c, 152a, 201, 201a, 206, 209, 210, 224, 225, 229a, 230, 236, 236a, 236b, 241, 242, 244, 245, 246, 252, 256, 258, 263, 263a, 264, 265, 265a, 267, 268, 269, 270, 273, 274, 274a, 276, 277, 278, 279, 280, 281, 282, 289, and 290 (MCL 388.1606, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1612, 388.1615, 388.1618, 388.1618b, 388.1619, 388.1620, 388.1620d, 388.1622a, 388.1622b, 388.1622d, 388.1622f, 388.1622i, 388.1622j, 388.1624,

388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1626c, 388.1631a, 388.1631d, 388.1631f, 388.1632d, 388.1632p, 388.1639, 388.1639a, 388.1651a, 388.1651b, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1695, 388.1698, 388.1699, 388.1701, 388.1702, 388.1704, 388.1707, 388.1747, 388.1747a, 388.1747b, 388.1747c, 388.1752a, 388.1801, 388.1801a, 388.1806, 388.1809, 388.1810, 388.1824, 388.1825, 388.1829a, 388.1830, 388.1836, 388.1836a, 388.1836b, 388.1841, 388.1842, 388.1844, 388.1845, 388.1846, 388.1852, 388.1856, 388.1858, 388.1863, 388.1863a, 388.1864, 388.1865, 388.1865a, 388.1867, 388.1868, 388.1869, 388.1870, 388.1873, 388.1874, 388.1874a, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1889, and 388.1890), sections 6, 11, 26b, and 201 as amended by 2012 PA 465, sections 11a, 11g, 11j, 11k, 11m, 12, 18, 19, 20, 20d, 22a, 22b, 22d, 22f, 24, 24a, 24c, 26a, 31a, 31d, 31f, 32d, 39, 39a, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 74, 81, 94a, 98, 99, 102, 104, 107, 147, 147a, 147b, 152a, 201a, 206, 209, 210, 224, 225, 230, 236, 236a, 241, 242, 244, 245, 252, 256, 258, 263, 263a, 264, 265, 267, 268, 269, 270, 273, 274, 274a, 276, 277, 278, 279, 280, 281, 282, 289, and 290 as amended and sections 22i, 22j, 26c, 32p, 95, 147c, 229a, 236b, 246, and 265a as added by 2012 PA 201, section 15 as amended by 2012 PA 286, section 18b as amended by 2008 PA 268, section 51b as added by 1996 PA 300, and section 101 as amended by 2012 PA 516, and by adding sections 21f, 22c, 22k, 25e, 41, 99b, 236c, 259, and 272a; and to repeal acts and parts of acts.

Recommends:

First: That the Senate recede from the Substitute of the Senate as passed by the Senate.

Second: That the House and Senate agree to the Substitute of the House as passed by the House, amended to read as follows:

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 6, 11, 11a, 11g, 11j, 11k, 11m, 12, 15, 18, 18b, 19, 20, 20d, 22a, 22b, 22d, 22f, 22g, 22i, 22j, 24, 24a, 24c, 26a, 26b, 26c, 31a, 31d, 31f, 32d, 32p, 39, 39a, 51a, 51b, 51c, 51d, 53a, 54, 56, 61a, 62, 74, 81, 94a, 95, 98, 99, 101, 102, 104, 107, 147, 147a, 147b, 147c, 152a, 201, 201a, 206, 208, 209, 210, 224, 225, 229, 229a, 230, 236, 236a, 236b, 241, 244, 245, 246, 252, 258, 263, 263a, 264, 265, 265a, 267, 268, 269, 270, 273, 274, 274a, 275, 275a, 276, 277, 278, 279, 280, 281, 282, 289, and 290 (MCL 388.1606, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1612, 388.1615, 388.1618, 388.1618b, 388.1619, 388.1620, 388.1620d, 388.1622a, 388.1622b, 388.1622d, 388.1622f, 388.1622g, 388.1622i, 388.1622j, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1626c, 388.1631a, 388.1631d, 388.1631f, 388.1632d, 388.1632p, 388.1639, 388.1639a, 388.1651a, 388.1651b, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1695, 388.1698, 388.1699, 388.1701, 388.1702, 388.1704, 388.1707, 388.1747, 388.1747a, 388.1747b, 388.1747c, 388.1752a, 388.1801, 388.1801a, 388.1806, 388.1808, 388.1809, 388.1810, 388.1824, 388.1825, 388.1829, 388.1829a, 388.1830, 388.1836, 388.1836a, 388.1836b, 388.1841, 388.1844, 388.1845, 388.1846, 388.1852, 388.1858, 388.1863, 388.1863a, 388.1864, 388.1865, 388.1865a, 388.1867, 388.1868, 388.1869, 388.1870, 388.1873, 388.1874, 388.1874a, 388.1875, 388.1875a, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1889, and 388.1890), sections 6, 11, 26b, and 201 as amended by 2012 PA 465, sections 11a, 11g, 11j, 11k, 11m, 12, 18, 19, 20, 20d, 22a, 22b, 22d, 22f, 24, 24a, 24c, 26a, 31a, 31d, 31f, 32d, 39, 39a, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 74, 81, 94a, 98, 99, 102, 104, 107, 147, 147a, 147b, 152a, 201a, 206, 208, 209, 210, 224, 225, 229, 230, 236, 236a, 241, 244, 245, 252, 258, 263, 263a, 264, 265, 267, 268, 269, 270, 273, 274, 274a, 275, 275a, 276, 277, 278, 279, 280, 281, 282, 289, and 290 as amended and sections 22g, 22i, 22j, 26c, 32p, 95, 147c, 229a, 236b, 246, and 265a as added by 2012 PA 201, section 15 as amended by 2012 PA 286, section 18b as amended by 2008 PA 268, section 51b as added by 1996 PA 300, and section 101 as amended by 2013 PA 29, and by adding sections 20f, 21f, 22c, 22k, 25e, 41, 64a, 99b, 201b, 210b, 229b, 236c, 259, 262a, and 272a; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 6. (1) “Center program” means a program operated by a district or by an intermediate district for special education pupils from several districts in programs for pupils with autism spectrum disorder, pupils with severe cognitive impairment, pupils with moderate cognitive impairment, pupils with severe multiple impairments, pupils with hearing impairment, pupils with visual impairment, and pupils with physical impairment or other health impairment. Programs for pupils with emotional impairment housed in buildings that do not serve regular education pupils also qualify. Unless otherwise approved by the department, a center program either shall serve all constituent districts within an intermediate district or shall serve several districts with less than 50% of the pupils residing in the operating district. In addition, special education center program pupils placed part-time in noncenter programs to comply with the least restrictive environment provisions of section 612 of part B of the individuals with disabilities education act, 20 USC 1412, may be considered center program pupils for pupil accounting purposes for the time scheduled in either a center program or a noncenter program.

(2) “District and high school graduation rate” means the annual completion and pupil dropout rate that is calculated by the center pursuant to nationally recognized standards.

(3) “District and high school graduation report” means a report of the number of pupils, excluding adult participants, in the district for the immediately preceding school year, adjusted for those pupils who have transferred into or out of the district or high school, who leave high school with a diploma or other credential of equal status.

(4) “Membership”, except as otherwise provided in this article, means for a district, a public school academy, the education achievement system, or an intermediate district the sum of the product of .90 times the number of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance on the pupil membership count day for the current school year,

plus the product of .10 times the final audited count from the supplemental count day for the ~~immediately preceding~~ **CURRENT** school year. A district's, public school academy's, or intermediate district's membership shall be adjusted as provided under section 25 for pupils who enroll in the district, public school academy, or intermediate district after the pupil membership count day. All pupil counts used in this subsection are as determined by the department and calculated by adding the number of pupils registered for attendance plus pupils received by transfer and minus pupils lost as defined by rules promulgated by the superintendent, and as corrected by a subsequent department audit. For the purposes of this section and section 6a, for a school of excellence that is a cyber school, as defined in section 551 of the revised school code, MCL 380.551, and is in compliance with section 553a of the revised school code, MCL 380.553a, ~~or for the education achievement system, a pupil's participation in the cyber school's educational program or in an online educational program of the education achievement system or of an achievement school is considered regular daily attendance;~~ **FOR THE EDUCATION ACHIEVEMENT SYSTEM, A PUPIL'S PARTICIPATION IN AN ONLINE EDUCATIONAL PROGRAM OF THE EDUCATION ACHIEVEMENT SYSTEM OR OF AN ACHIEVEMENT SCHOOL IS CONSIDERED REGULAR DAILY ATTENDANCE; AND FOR A DISTRICT A PUPIL'S PARTICIPATION IN AN ONLINE COURSE AS DEFINED IN SECTION 21F IS CONSIDERED REGULAR DAILY ATTENDANCE.** The amount of the foundation allowance for a pupil in membership is determined under section 20. In making the calculation of membership, all of the following, as applicable, apply to determining the membership of a district, a public school academy, the education achievement system, or an intermediate district:

(a) Except as otherwise provided in this subsection, and pursuant to subsection (6), a pupil shall be counted in membership in the pupil's educating district or districts. An individual pupil shall not be counted for more than a total of 1.0 full-time equated membership.

(b) If a pupil is educated in a district other than the pupil's district of residence, if the pupil is not being educated as part of a cooperative education program, if the pupil's district of residence does not give the educating district its approval to count the pupil in membership in the educating district, and if the pupil is not covered by an exception specified in subsection (6) to the requirement that the educating district must have the approval of the pupil's district of residence to count the pupil in membership, the pupil shall not be counted in membership in any district.

(c) A special education pupil educated by the intermediate district shall be counted in membership in the intermediate district.

(d) A pupil placed by a court or state agency in an on-grounds program of a juvenile detention facility, a child caring institution, or a mental health institution, or a pupil funded under section 53a, shall be counted in membership in the district or intermediate district approved by the department to operate the program.

(e) A pupil enrolled in the Michigan schools for the deaf and blind shall be counted in membership in the pupil's intermediate district of residence.

(f) A pupil enrolled in a career and technical education program supported by a millage levied over an area larger than a single district or in an area vocational-technical education program established pursuant to section 690 of the revised school code, MCL 380.690, shall be counted only in the pupil's district of residence.

(g) A pupil enrolled in a public school academy shall be counted in membership in the public school academy.

(h) A pupil enrolled in an achievement school shall be counted in membership in the education achievement system.

(i) For a new district or public school academy beginning its operation after December 31, 1994, or for the education achievement system or an achievement school, membership for the first 2 full or partial fiscal years of operation shall be determined as follows:

(i) If operations begin before the pupil membership count day for the fiscal year, membership is the average number of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance on the pupil membership count day for the current school year and on the supplemental count day for the current school year, as determined by the department and calculated by adding the number of pupils registered for attendance on the pupil membership count day plus pupils received by transfer and minus pupils lost as defined by rules promulgated by the superintendent, and as corrected by a subsequent department audit, plus the final audited count from the supplemental count day for the current school year, and dividing that sum by 2.

(ii) If operations begin after the pupil membership count day for the fiscal year and not later than the supplemental count day for the fiscal year, membership is the final audited count of the number of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance on the supplemental count day for the current school year.

(j) If a district is the authorizing body for a public school academy, then, in the first school year in which pupils are counted in membership on the pupil membership count day in the public school academy, the determination of the district's membership shall exclude from the district's pupil count for the immediately preceding supplemental count day any pupils who are counted in the public school academy on that first pupil membership count day who were also counted in the district on the immediately preceding supplemental count day.

(k) In a district, a public school academy, the education achievement system, or an intermediate district operating an extended school year program approved by the superintendent, a pupil enrolled, but not scheduled to be in regular daily attendance on a pupil membership count day, shall be counted.

(l) To be counted in membership, a pupil shall meet the minimum age requirement to be eligible to attend school under section 1147 of the revised school code, MCL 380.1147, or shall be enrolled under subsection (3) of that section, and shall be less than 20 years of age on September 1 of the school year except as follows:

(i) A special education pupil who is enrolled and receiving instruction in a special education program or service approved by the department, who does not have a high school diploma, and who is less than 26 years of age as of September 1 of the current school year shall be counted in membership.

(ii) A pupil who is determined by the department to meet all of the following may be counted in membership:

(A) Is enrolled in a public school academy or an alternative education high school diploma program, that is primarily focused on educating homeless pupils and that is located in a city with a population of more than 500,000:175,000.

(B) Had dropped out of school for more than 1 year and has re-entered school.

(C) Is less than 22 years of age as of September 1 of the current school year.

(iii) IF A CHILD BECOMES A RESIDENT OF A DISTRICT AND THE CHILD DOES NOT MEET THE MINIMUM AGE REQUIREMENT TO BE ELIGIBLE TO ATTEND SCHOOL FOR THAT SCHOOL YEAR UNDER SECTION 1147 OF THE REVISED SCHOOL CODE, MCL 380.1147, BUT WILL BE 5 YEARS OF AGE NOT LATER THAN DECEMBER 1 OF THAT SCHOOL YEAR, THE DISTRICT MAY COUNT THE CHILD IN MEMBERSHIP FOR THAT SCHOOL YEAR IF THE PARENT OR LEGAL GUARDIAN HAS NOTIFIED THE DISTRICT IN WRITING THAT HE OR SHE INTENDS TO ENROLL THE CHILD IN KINDERGARTEN FOR THAT SCHOOL YEAR.

(m) An individual who has obtained a high school diploma shall not be counted in membership. An individual who has obtained a general educational development (G.E.D.) certificate shall not be counted in membership unless the individual is a pupil with a disability as defined in R 340.1702 of the Michigan administrative code. An individual participating in a job training program funded under former section 107a or a jobs program funded under former section 107b, administered by the Michigan strategic fund, or participating in any successor of either of those 2 programs, shall not be counted in membership.

(n) If a pupil counted in membership in a public school academy or the education achievement system is also educated by a district or intermediate district as part of a cooperative education program, the pupil shall be counted in membership only in the public school academy or the education achievement system unless a written agreement signed by all parties designates the party or parties in which the pupil shall be counted in membership, and the instructional time scheduled for the pupil in the district or intermediate district shall be included in the full-time equated membership determination under subdivision (q). However, for pupils receiving instruction in both a public school academy or the education achievement system and in a district or intermediate district but not as a part of a cooperative education program, the following apply:

(i) If the public school academy or the education achievement system provides instruction for at least 1/2 of the class hours specified in subdivision (q), the public school academy or the education achievement system shall receive as its prorated share of the full-time equated membership for each of those pupils an amount equal to 1 times the product of the hours of instruction the public school academy or the education achievement system provides divided by the number of hours specified in subdivision (q) for full-time equivalency, and the remainder of the full-time membership for each of those pupils shall be allocated to the district or intermediate district providing the remainder of the hours of instruction.

(ii) If the public school academy or the education achievement system provides instruction for less than 1/2 of the class hours specified in subdivision (q), the district or intermediate district providing the remainder of the hours of instruction shall receive as its prorated share of the full-time equated membership for each of those pupils an amount equal to 1 times the product of the hours of instruction the district or intermediate district provides divided by the number of hours specified in subdivision (q) for full-time equivalency, and the remainder of the full-time membership for each of those pupils shall be allocated to the public school academy or the education achievement system.

(o) An individual less than 16 years of age as of September 1 of the current school year who is being educated in an alternative education program shall not be counted in membership if there are also adult education participants being educated in the same program or classroom.

(p) The department shall give a uniform interpretation of full-time and part-time memberships.

(q) The number of class hours used to calculate full-time equated memberships shall be consistent with section 101(3). In determining full-time equated memberships for pupils who are enrolled in a postsecondary institution, a pupil shall not be considered to be less than a full-time equated pupil solely because of the effect of his or her postsecondary enrollment, including necessary travel time, on the number of class hours provided by the district to the pupil.

(r) Beginning in 2012-2013, full-time equated memberships for pupils in kindergarten shall be determined by dividing the number of instructional hours scheduled and provided per year per kindergarten pupil by the same number used for determining full-time equated memberships for pupils in grades 1 to 12. However, to the extent allowable under federal law, for a district or public school academy that provides evidence satisfactory to the department that it used federal title I money in the 2 immediately preceding school fiscal years to fund full-time kindergarten, full-time equated memberships for pupils in kindergarten shall be determined by dividing the number of class hours scheduled and provided per year per kindergarten pupil by a number equal to 1/2 the number used for determining full-time equated memberships for pupils in grades 1 to 12. ~~Not later than December 1, 2012, the department shall seek a clarification from the federal department of education as to whether this is an allowable use of federal title I money.~~ The change in the counting of full-time equated memberships for

pupils in kindergarten that ~~takes~~ **TOOK** effect in ~~FOR~~ 2012-2013 is not a mandate. ~~Not later than the fifth Wednesday after the pupil membership count day, each district or public school academy and the education achievement system shall report to the department and the center the number of instructional hours scheduled per kindergarten pupil for 2012-2013. If the number of instructional hours scheduled per kindergarten pupil is not equal for all kindergarten pupils in the district, the district or public school academy and the education achievement system shall report the number of kindergarten pupils who were scheduled to receive each of the different numbers of instructional hours scheduled.~~

(s) For a district, a public school academy, or the education achievement system that has pupils enrolled in a grade level that was not offered by the district, the public school academy, or the education achievement system in the immediately preceding school year, the number of pupils enrolled in that grade level to be counted in membership is the average of the number of those pupils enrolled and in regular daily attendance on the pupil membership count day and the supplemental count day of the current school year, as determined by the department. Membership shall be calculated by adding the number of pupils registered for attendance in that grade level on the pupil membership count day plus pupils received by transfer and minus pupils lost as defined by rules promulgated by the superintendent, and as corrected by subsequent department audit, plus the final audited count from the supplemental count day for the current school year, and dividing that sum by 2.

(t) A pupil enrolled in a cooperative education program may be counted in membership in the pupil's district of residence with the written approval of all parties to the cooperative agreement.

(u) If, as a result of a disciplinary action, a district determines through the district's alternative or disciplinary education program that the best instructional placement for a pupil is in the pupil's home or otherwise apart from the general school population, if that placement is authorized in writing by the district superintendent and district alternative or disciplinary education supervisor, and if the district provides appropriate instruction as described in this subdivision to the pupil at the pupil's home or otherwise apart from the general school population, the district may count the pupil in membership on a pro rata basis, with the proration based on the number of hours of instruction the district actually provides to the pupil divided by the number of hours specified in subdivision (q) for full-time equivalency. For the purposes of this subdivision, a district shall be considered to be providing appropriate instruction if all of the following are met:

(i) The district provides at least 2 nonconsecutive hours of instruction per week to the pupil at the pupil's home or otherwise apart from the general school population under the supervision of a certificated teacher.

(ii) The district provides instructional materials, resources, and supplies ~~, except computers,~~ that are comparable to those otherwise provided in the district's alternative education program.

(iii) Course content is comparable to that in the district's alternative education program.

(iv) Credit earned is awarded to the pupil and placed on the pupil's transcript.

(v) A pupil enrolled in an alternative or disciplinary education program described in section 25 shall be counted in membership in the district, the public school academy, or the education achievement system that is educating the pupil.

(w) If a pupil was enrolled in a public school academy on the pupil membership count day, if the public school academy's contract with its authorizing body is revoked or the public school academy otherwise ceases to operate, and if the pupil enrolls in a district or the education achievement system within 45 days after the pupil membership count day, the department shall adjust the district's or the education achievement system's pupil count for the pupil membership count day to include the pupil in the count.

(x) For a public school academy that has been in operation for at least 2 years and that suspended operations for at least 1 semester and is resuming operations, membership is the sum of the product of .90 times the number of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance on the first pupil membership count day or supplemental count day, whichever is first, occurring after operations resume, plus the product of .10 times the final audited count from the most recent pupil membership count day or supplemental count day that occurred before suspending operations, as determined by the superintendent.

(y) If a district's membership for a particular fiscal year, as otherwise calculated under this subsection, would be less than 1,550 pupils and the district has 4.5 or fewer pupils per square mile, as determined by the department, and ~~, beginning in 2007-2008,~~ if the district does not receive funding under section 22d(2), the district's membership shall be considered to be the membership figure calculated under this subdivision. If a district educates and counts in its membership pupils in grades 9 to 12 who reside in a contiguous district that does not operate grades 9 to 12 and if 1 or both of the affected districts request the department to use the determination allowed under this sentence, the department shall include the square mileage of both districts in determining the number of pupils per square mile for each of the districts for the purposes of this subdivision. The membership figure calculated under this subdivision is the greater of the following:

(i) The average of the district's membership for the 3-fiscal-year period ending with that fiscal year, calculated by adding the district's actual membership for each of those 3 fiscal years, as otherwise calculated under this subsection, and dividing the sum of those 3 membership figures by 3.

(ii) The district's actual membership for that fiscal year as otherwise calculated under this subsection.

(z) If a public school academy that is not in its first or second year of operation closes at the end of a school year and does not reopen for the next school year, the department shall adjust the membership count of the district or the education achievement system in which a former pupil of the public school academy enrolls and is in regular daily attendance for the next school year

to ensure that the district or the education achievement system receives the same amount of membership aid for the pupil as if the pupil were counted in the district or the education achievement system on the supplemental count day of the preceding school year.

(aa) Full-time equated memberships for special education pupils who are not enrolled in kindergarten but are enrolled in a classroom program under R 340.1754 of the Michigan administrative code shall be determined by dividing the number of class hours scheduled and provided per year by 450. Full-time equated memberships for special education pupils who are not enrolled in kindergarten but are receiving early childhood special education services under R 340.1755 of the Michigan administrative code shall be determined by dividing the number of hours of service scheduled and provided per year per pupil by 180.

(bb) A pupil of a district that begins its school year after Labor day who is enrolled in an intermediate district program that begins before Labor day shall not be considered to be less than a full-time pupil solely due to instructional time scheduled but not attended by the pupil before Labor day.

(cc) For the first year in which a pupil is counted in membership on the pupil membership count day in a middle college program, the membership is the average of the full-time equated membership on the pupil membership count day and on the supplemental count day for the current school year, as determined by the department. If a pupil was counted by the operating district on the immediately preceding supplemental count day, the pupil shall be excluded from the district's immediately preceding supplemental count for purposes of determining the district's membership.

(dd) A district, a public school academy, or the education achievement system that educates a pupil who attends a United States Olympic education center may count the pupil in membership regardless of whether or not the pupil is a resident of this state.

(ee) A pupil enrolled in a district other than the pupil's district of residence pursuant to section 1148(2) of the revised school code, MCL 380.1148, shall be counted in the educating district or the education achievement system.

(ff) For a pupil enrolled in a dropout recovery program that meets the requirements of section 23a, the pupil shall be counted as 1/12 of a full-time equated membership for each month that the district operating the program reports that the pupil was enrolled in the program and was in full attendance. **HOWEVER, A PUPIL COUNTED UNDER THIS SUBDIVISION SHALL NOT BE COUNTED AS MORE THAN 1.0 FTE IN A FISCAL YEAR.** The district operating the program shall report to the center the number of pupils who were enrolled in the program and were in full attendance for a month not later than the tenth day of the next month. A district shall not report a pupil as being in full attendance for a month unless both of the following are met:

(i) A personalized learning plan is in place on or before the first school day of the month for the first month the pupil participates in the program.

(ii) The pupil meets the district's definition under section 23a of satisfactory monthly progress for that month or, if the pupil does not meet that definition of satisfactory monthly progress for that month, the pupil did meet that definition of satisfactory monthly progress in the immediately preceding month and appropriate interventions are implemented within 10 school days after it is determined that the pupil does not meet that definition of satisfactory monthly progress.

(5) "Public school academy" means that term as defined in the revised school code.

(6) "Pupil" means a person in membership in a public school. A district must have the approval of the pupil's district of residence to count the pupil in membership, except approval by the pupil's district of residence is not required for any of the following:

(a) A nonpublic part-time pupil enrolled in grades 1 to 12 in accordance with section 166b.

(b) A pupil receiving 1/2 or less of his or her instruction in a district other than the pupil's district of residence.

(c) A pupil enrolled in a public school academy or the education achievement system.

(d) A pupil enrolled in a district other than the pupil's district of residence under an intermediate district schools of choice pilot program as described in section 91a or former section 91 if the intermediate district and its constituent districts have been exempted from section 105.

(e) A pupil enrolled in a district other than the pupil's district of residence if the pupil is enrolled in accordance with section 105 or 105c.

(f) A pupil who has made an official written complaint or whose parent or legal guardian has made an official written complaint to law enforcement officials and to school officials of the pupil's district of residence that the pupil has been the victim of a criminal sexual assault or other serious assault, if the official complaint either indicates that the assault occurred at school or that the assault was committed by 1 or more other pupils enrolled in the school the pupil would otherwise attend in the district of residence or by an employee of the district of residence. A person who intentionally makes a false report of a crime to law enforcement officials for the purposes of this subdivision is subject to section 411a of the Michigan penal code, 1931 PA 328, MCL 750.411a, which provides criminal penalties for that conduct. As used in this subdivision:

(i) "At school" means in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school-sponsored activity or event whether or not it is held on school premises.

(ii) "Serious assault" means an act that constitutes a felony violation of chapter XI of the Michigan penal code, 1931 PA 328, MCL 750.81 to 750.90h, or that constitutes an assault and infliction of serious or aggravated injury under section 81a of the Michigan penal code, 1931 PA 328, MCL 750.81a.

(g) A pupil whose district of residence changed after the pupil membership count day and before the supplemental count day and who continues to be enrolled on the supplemental count day as a nonresident in the district in which he or she was enrolled as a resident on the pupil membership count day of the same school year.

(h) A pupil enrolled in an alternative education program operated by a district other than his or her district of residence who meets 1 or more of the following:

(i) The pupil has been suspended or expelled from his or her district of residence for any reason, including, but not limited to, a suspension or expulsion under section 1310, 1311, or 1311a of the revised school code, MCL 380.1310, 380.1311, and 380.1311a.

(ii) The pupil had previously dropped out of school.

(iii) The pupil is pregnant or is a parent.

(iv) The pupil has been referred to the program by a court.

(v) The pupil is enrolled in an alternative or disciplinary education program described in section 25.

(i) A pupil enrolled in the Michigan virtual school, for the pupil's enrollment in the Michigan virtual school.

(j) A pupil who is the child of a person who works at the district or who is the child of a person who worked at the district as of the time the pupil first enrolled in the district but who no longer works at the district due to a workforce reduction. As used in this subdivision, "child" includes an adopted child, stepchild, or legal ward.

(k) An expelled pupil who has been denied reinstatement by the expelling district and is reinstated by another school board under section 1311 or 1311a of the revised school code, MCL 380.1311 and 380.1311a.

(l) A pupil enrolled in a district other than the pupil's district of residence in a middle college program if the pupil's district of residence and the enrolling district are both constituent districts of the same intermediate district.

(m) A pupil enrolled in a district other than the pupil's district of residence who attends a United States Olympic education center.

(n) A pupil enrolled in a district other than the pupil's district of residence pursuant to section 1148(2) of the revised school code, MCL 380.1148.

(o) A pupil who enrolls in a district other than the pupil's district of residence as a result of the pupil's school not making adequate yearly progress under the no child left behind act of 2001, Public Law 107-110.

~~(p) A pupil enrolled in a district other than the pupil's district of residence as a qualifying pupil under section 22h(2):~~

(P) AN ONLINE LEARNING PUPIL ENROLLED IN A DISTRICT OTHER THAN THE PUPIL'S DISTRICT OF RESIDENCE AS AN ELIGIBLE PUPIL UNDER SECTION 21F.

However, if a district educates pupils who reside in another district and if the primary instructional site for those pupils is established by the educating district after 2009-2010 and is located within the boundaries of that other district, the educating district must have the approval of that other district to count those pupils in membership.

(7) "Pupil membership count day" of a district or intermediate district means:

(a) Except as provided in subdivision (b), the first Wednesday in October each school year or, for a district or building in which school is not in session on that Wednesday due to conditions not within the control of school authorities, with the approval of the superintendent, the immediately following day on which school is in session in the district or building.

(b) For a district or intermediate district maintaining school during the entire school year, the following days:

(i) Fourth Wednesday in July.

(ii) First Wednesday in October.

(iii) Second Wednesday in February.

(iv) Fourth Wednesday in April.

(8) "Pupils in grades K to 12 actually enrolled and in regular daily attendance" means pupils in grades K to 12 in attendance and receiving instruction in all classes for which they are enrolled on the pupil membership count day or the supplemental count day, as applicable. Except as otherwise provided in this subsection, a pupil who is absent from any of the classes in which the pupil is enrolled on the pupil membership count day or supplemental count day and who does not attend each of those classes during the 10 consecutive school days immediately following the pupil membership count day or supplemental count day, except for a pupil who has been excused by the district, shall not be counted as 1.0 full-time equated membership. A pupil who is excused from attendance on the pupil membership count day or supplemental count day and who fails to attend each of the classes in which the pupil is enrolled within 30 calendar days after the pupil membership count day or supplemental count day shall not be counted as 1.0 full-time equated membership. In addition, a pupil who was enrolled and in attendance in a district, an intermediate district, a public school academy, or the education achievement system before the pupil membership count day or supplemental count day of a particular year but was expelled or suspended on the pupil membership count day or supplemental count day shall only be counted as 1.0 full-time equated membership if the pupil resumed attendance in the district, intermediate district, public school academy, or education achievement system within 45 days after the pupil membership count day or supplemental count day of that particular year. Pupils not counted as 1.0 full-time equated membership due to an absence from a class shall be counted as a prorated membership for the classes the pupil attended. For purposes of this subsection, "class" means a period of time in 1 day when pupils and a certificated teacher or legally qualified substitute teacher are together and instruction is taking place.

(9) "Rule" means a rule promulgated pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(10) "The revised school code" means 1976 PA 451, MCL 380.1 to 380.1852.

(11) "School district of the first class", "first class school district", and "district of the first class" mean a district that had at least 60,000 pupils in membership for the immediately preceding fiscal year.

(12) "School fiscal year" means a fiscal year that commences July 1 and continues through June 30.

(13) "State board" means the state board of education.

(14) "Superintendent", unless the context clearly refers to a district or intermediate district superintendent, means the superintendent of public instruction described in section 3 of article VIII of the state constitution of 1963.

(15) "Supplemental count day" means the day on which the supplemental pupil count is conducted under section 6a.

(16) "Tuition pupil" means a pupil of school age attending school in a district other than the pupil's district of residence for whom tuition may be charged **TO THE DISTRICT OF RESIDENCE**. Tuition pupil does not include a pupil who is a special education pupil, or a pupil described in subsection (6)(c) to (6)(P), **OR A PUPIL WHOSE PARENT OR GUARDIAN VOLUNTARILY ENROLLS THE PUPIL IN A DISTRICT THAT IS NOT THE PUPIL'S DISTRICT OF RESIDENCE**. A pupil's district of residence shall not require a high school tuition pupil, as provided under section 111, to attend another school district after the pupil has been assigned to a school district.

(17) "State school aid fund" means the state school aid fund established in section 11 of article IX of the state constitution of 1963.

(18) "Taxable value" means the taxable value of property as determined under section 27a of the general property tax act, 1893 PA 206, MCL 211.27a.

(19) "Textbook" means a book, electronic book, or other instructional print or electronic resource that is selected and approved by the governing board of a district or, for an achievement school, by the chancellor of the achievement authority and that contains a presentation of principles of a subject, or that is a literary work relevant to the study of a subject required for the use of classroom pupils, or another type of course material that forms the basis of classroom instruction.

(20) "Total state aid" or "total state school aid" means the total combined amount of all funds due to a district, intermediate district, or other entity under all of the provisions of this article.

Sec. 11. (1) ~~Subject to subsection (3), for~~ **FOR** the fiscal year ending September 30, 2013, there is appropriated for the public schools of this state and certain other state purposes relating to education the sum of \$10,961,245,600.00 **\$10,928,614,200.00** from the state school aid fund and the sum of \$282,400,000.00 from the general fund. **FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2014, THERE IS APPROPRIATED FOR THE PUBLIC SCHOOLS OF THIS STATE AND CERTAIN OTHER STATE PURPOSES RELATING TO EDUCATION THE SUM OF \$11,211,382,300.00 FROM THE STATE SCHOOL AID FUND, THE SUM OF \$156,000,000.00 FROM THE MPSERS RETIREMENT OBLIGATION REFORM RESERVE FUND CREATED UNDER SECTION 147B, AND THE SUM OF \$230,000,000.00 FROM THE GENERAL FUND.** In addition, all other available federal funds, except those otherwise appropriated under section 11p, are appropriated for the fiscal year ending September 30, 2013 **AND FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2014.**

(2) The appropriations under this section shall be allocated as provided in this article. Money appropriated under this section from the general fund shall be expended to fund the purposes of this article before the expenditure of money appropriated under this section from the state school aid fund.

(3) Any general fund allocations under this article that are not expended by the end of the state fiscal year are transferred to the school aid stabilization fund created under section 11a.

Sec. 11a. (1) The school aid stabilization fund is created as a separate account within the state school aid fund established by section 11 of article IX of the state constitution of 1963.

(2) The state treasurer may receive money or other assets from any source for deposit into the school aid stabilization fund. The state treasurer shall deposit into the school aid stabilization fund all of the following:

(a) Unexpended and unencumbered state school aid fund revenue for a fiscal year that remains in the state school aid fund as of the bookclosing for that fiscal year.

(b) Money statutorily dedicated to the school aid stabilization fund.

(c) Money appropriated to the school aid stabilization fund.

(3) Money available in the school aid stabilization fund may not be expended without a specific appropriation from the school aid stabilization fund. Money in the school aid stabilization fund shall be expended only for purposes for which state school aid fund money may be expended.

(4) The state treasurer shall direct the investment of the school aid stabilization fund. The state treasurer shall credit to the school aid stabilization fund interest and earnings from fund investments.

(5) Money in the school aid stabilization fund at the close of a fiscal year shall remain in the school aid stabilization fund and shall not lapse to the unreserved school aid fund balance or the general fund.

(6) If the maximum amount appropriated under section 11 from the state school aid fund for a fiscal year exceeds the amount available for expenditure from the state school aid fund for that fiscal year, there is appropriated from the school aid stabilization fund to the state school aid fund an amount equal to the projected shortfall as determined by the department of treasury, but not to exceed available money in the school aid stabilization fund. If the money in the school aid stabilization fund is insufficient to fully fund an amount equal to the projected shortfall, the state budget director shall notify the legislature as required under

section ~~11(3)-296(2)~~ and state payments in an amount equal to the remainder of the projected shortfall shall be prorated in the manner provided under section ~~11(4)-296(3)~~.

(7) For 2012-2013, ~~2013-2014~~, in addition to the appropriations in section 11, there is appropriated from the school aid stabilization fund to the state school aid fund the amount necessary to fully fund the allocations under this article.

(8) ~~Effective February 24, 2012, in addition to any amounts otherwise deposited into the school aid stabilization fund, there is transferred from the state school aid fund to the school aid stabilization fund an amount equal to \$100,000,000.00.~~

Sec. 11g. (1) From the appropriation in section 11, there is allocated for this section an amount not to exceed ~~\$39,000,000.00~~ **\$39,500,000.00** for the fiscal year ending September 30, ~~2013, 2014~~ and for each succeeding fiscal year through the fiscal year ending September 30, 2015, after which these payments will cease. These allocations are for paying the amounts described in subsection (3) to districts and intermediate districts, other than those receiving a lump-sum payment under section 11f(2), that were not plaintiffs in the consolidated cases known as Durant v State of Michigan, Michigan supreme court docket no. 104458-104492 and that, on or before March 2, 1998, submitted to the state treasurer a waiver resolution described in section 11f. The amounts paid under this section represent offers of settlement and compromise of any claim or claims that were or could have been asserted by these districts and intermediate districts, as described in this section.

(2) This section does not create any obligation or liability of this state to any district or intermediate district that does not submit a waiver resolution described in section 11f. This section and any other provision of this article are not intended to admit liability or waive any defense that is or would be available to this state or its agencies, employees, or agents in any litigation or future litigation with a district or intermediate district regarding these claims or potential claims.

(3) The amount paid each fiscal year to each district or intermediate district under this section shall be 1 of the following:

(a) If the district or intermediate district does not borrow money and issue bonds under section 11i, 1/30 of the total amount listed in section 11h for the district or intermediate district through the fiscal year ending September 30, ~~2013-2015~~.

(b) If the district or intermediate district borrows money and issues bonds under section 11i, an amount in each fiscal year calculated by the department of treasury that is equal to the debt service amount in that fiscal year on the bonds issued by that district or intermediate district under section 11i and that will result in the total payments made to all districts and intermediate districts in each fiscal year under this section being no more than the amount appropriated under this section in each fiscal year.

(4) The entire amount of each payment under this section each fiscal year shall be paid on May 15 of the applicable fiscal year or on the next business day following that date. If a district or intermediate district borrows money and issues bonds under section 11i, the district or intermediate district shall use funds received under this section to pay debt service on bonds issued under section 11i. If a district or intermediate district does not borrow money and issue bonds under section 11i, the district or intermediate district shall use funds received under this section only for the following purposes, in the following order of priority:

(a) First, to pay debt service on voter-approved bonds issued by the district or intermediate district before the effective date of this section.

(b) Second, to pay debt service on other limited tax obligations.

(c) Third, for deposit into a sinking fund established by the district or intermediate district under the revised school code.

(5) To the extent payments under this section are used by a district or intermediate district to pay debt service on debt payable from millage revenues, and to the extent permitted by law, the district or intermediate district may make a corresponding reduction in the number of mills levied for debt service.

(6) A district or intermediate district may pledge or assign payments under this section as security for bonds issued under section 11i, but shall not otherwise pledge or assign payments under this section.

Sec. 11j. From the appropriation in section 11, there is allocated an amount not to exceed ~~\$120,390,000.00 for 2012-2013~~ **\$131,660,000.00 FOR 2013-2014** for payments to the school loan bond redemption fund in the department of treasury on behalf of districts and intermediate districts. Notwithstanding section ~~11-296~~ or any other provision of this act, funds allocated under this section are not subject to proration and shall be paid in full.

Sec. 11k. For ~~2012-2013, 2013-2014~~, there is appropriated from the general fund to the school loan revolving fund an amount equal to the amount of school bond loans assigned to the Michigan finance authority, not to exceed the total amount of school bond loans held in reserve as long-term assets. As used in this section, "school loan revolving fund" means that fund created in section 16c of the shared credit rating act, 1985 PA 227, MCL 141.1066c.

Sec. 11m. From the appropriations in section 11, ~~there is allocated for 2011-2012 an amount not to exceed \$2,100,000.00 and there is allocated for 2012-2013~~ **2013-2014** an amount not to exceed ~~\$3,200,000.00~~ **\$4,000,000.00** for fiscal year cash-flow borrowing costs solely related to the state school aid fund established by section 11 of article IX of the state constitution of 1963.

Sec. 12. It is the intent of the legislature to appropriate and allocate for the fiscal year ending September 30, ~~2014-2015~~ the same amounts of money from the same sources for the same purposes as are appropriated and allocated under this article for the fiscal year ending September 30, ~~2013, 2014~~, as adjusted for changes in pupil membership, taxable values, special education costs, interest costs, and available revenue. These adjustments will be determined after the January ~~2013-2014~~ consensus revenue estimating conference.

Sec. 15. (1) If a district or intermediate district fails to receive its proper apportionment, the department, upon satisfactory proof that the district or intermediate district was entitled justly, shall apportion the deficiency in the next apportionment.

Subject to subsections (2) and (3), if a district or intermediate district has received more than its proper apportionment, the department, upon satisfactory proof, shall deduct the excess in the next apportionment. Notwithstanding any other provision in this article, state aid overpayments to a district, other than overpayments in payments for special education or special education transportation, may be recovered from any payment made under this article other than a special education or special education transportation payment, from the proceeds of a loan to the district under the emergency municipal loan act, 1980 PA 243, MCL 141.931 to 141.942, or from the proceeds of millage levied or pledged under section 1211 of the revised school code, MCL 380.1211. State aid overpayments made in special education or special education transportation payments may be recovered from subsequent special education or special education transportation payments, from the proceeds of a loan to the district under the emergency municipal loan act, 1980 PA 243, MCL 141.931 to 141.942, or from the proceeds of millage levied or pledged under section 1211 of the revised school code, MCL 380.1211.

(2) If the result of an audit conducted by or for the department affects the current fiscal year membership, affected payments shall be adjusted in the current fiscal year. A deduction due to an adjustment made as a result of an audit conducted by or for the department, or as a result of information obtained by the department from the district, an intermediate district, the department of treasury, or the office of auditor general, shall be deducted from the district's apportionments when the adjustment is finalized. At the request of the district and upon the district presenting evidence satisfactory to the department of the hardship, the department may grant up to an additional 4 years for the adjustment and may advance payments to the district otherwise authorized under this act ~~ARTICLE~~ if the district would otherwise experience a significant hardship in satisfying its financial obligations.

(3) If, because of the receipt of new or updated data, the department determines during a fiscal year that the amount paid to a district or intermediate district under this article for a prior fiscal year was incorrect under the law in effect for that year, the department may make the appropriate deduction or payment in the district's or intermediate district's allocation for the fiscal year in which the determination is made. The deduction or payment shall be calculated according to the law in effect in the fiscal year in which the improper amount was paid. If the district does not receive an allocation for the fiscal year or if the allocation is not sufficient to pay the amount of any deduction, the amount of any deduction otherwise applicable shall be satisfied from the proceeds of a loan to the district under the emergency municipal loan act, 1980 PA 243, MCL 141.931 to 141.942, or from the proceeds of millage levied or pledged under section 1211 of the revised school code, MCL 380.1211, as determined by the department.

(4) Expenditures made by the department under this article that are caused by the write-off of prior year accruals may be funded by revenue from the write-off of prior year accruals.

(5) In addition to funds appropriated in section 11 for all programs and services, there is appropriated for ~~2012-2013~~ **2013-2014** for obligations in excess of applicable appropriations an amount equal to the collection of overpayments, but not to exceed amounts available from overpayments.

Sec. 18. (1) Except as provided in another section of this article, each district or other entity shall apply the money received by the district or entity under this article to salaries and other compensation of teachers and other employees, tuition, transportation, lighting, heating, ventilation, water service, the purchase of textbooks, other supplies, and any other school operating expenditures defined in section 7. However, not more than 20% of the total amount received by a district or intermediate district under this article may be transferred by the board to either the capital projects fund or to the debt retirement fund for debt service. The money shall not be applied or taken for a purpose other than as provided in this section. The department shall determine the reasonableness of expenditures and may withhold from a recipient of funds under this article the apportionment otherwise due upon a violation by the recipient.

(2) Within 30 days after a board adopts its annual operating budget for the following school fiscal year, or after a board adopts a subsequent revision to that budget, the district shall make all of the following available through a link on its website home page, or may make the information available through a link on its intermediate district's website home page, in a form and manner prescribed by the department:

(a) The annual operating budget and subsequent budget revisions.

(b) Using data that have already been collected and submitted to the department, a summary of district expenditures for the most recent fiscal year for which they are available, expressed in the following 2 pie charts:

(i) A chart of personnel expenditures, broken into the following subcategories:

(A) Salaries and wages.

(B) Employee benefit costs, including, but not limited to, medical, dental, vision, life, disability, and long-term care benefits.

(C) Retirement benefit costs.

(D) All other personnel costs.

(ii) A chart of all district expenditures, broken into the following subcategories:

(A) Instruction.

(B) Support services.

(C) Business and administration.

(D) Operations and maintenance.

(c) Links to all of the following:

(i) The current collective bargaining agreement for each bargaining unit.

(ii) Each health care benefits plan, including, but not limited to, medical, dental, vision, disability, long-term care, or any other type of benefits that would constitute health care services, offered to any bargaining unit or employee in the district.

(iii) The audit report of the audit conducted under subsection (4) for the most recent fiscal year for which it is available.

(iv) The bids required under section 5 of the public employee health benefits act, 2007 PA 106, MCL 124.75.

(d) The total salary and a description and cost of each fringe benefit included in the compensation package for the superintendent of the district and for each employee of the district whose salary exceeds \$100,000.00.

(e) The annual amount spent on dues paid to associations.

(f) The annual amount spent on lobbying or lobbying services. As used in this subdivision, "lobbying" means that term as defined in section 5 of 1978 PA 472, MCL 4.415.

(3) For the information required under subsection (2)(a), (2)(b)(i), and (2)(c), an intermediate district shall provide the same information in the same manner as required for a district under subsection (2).

(4) For the purpose of determining the reasonableness of expenditures and whether a violation of this article has occurred, all of the following apply:

(a) The department shall require that each district and intermediate district have an audit of the district's or intermediate district's financial and pupil accounting records conducted at least annually at the expense of the district or intermediate district, as applicable, by a certified public accountant or by the intermediate district superintendent, as may be required by the department, or in the case of a district of the first class by a certified public accountant, the intermediate superintendent, or the auditor general of the city.

(b) If a district operates in a single building with fewer than 700 full-time equated pupils, if the district has stable membership, and if the error rate of the immediately preceding 2 pupil accounting field audits of the district is less than 2%, the district may have a pupil accounting field audit conducted biennially but must continue to have desk audits for each pupil count. The auditor must document compliance with the audit cycle in the pupil auditing manual. As used in this subdivision, "stable membership" means that the district's membership for the current fiscal year varies from the district's membership for the immediately preceding fiscal year by less than 5%.

(c) A district's or intermediate district's annual financial audit shall include an analysis of the financial and pupil accounting data used as the basis for distribution of state school aid.

(d) The pupil and financial accounting records and reports, audits, and management letters are subject to requirements established in the auditing and accounting manuals approved and published by the department.

(e) All of the following shall be done not later than November 15 each year:

(i) A district shall file the annual financial audit reports with the intermediate district and the department.

(ii) The intermediate district shall file the annual financial audit reports for the intermediate district with the department.

(iii) The intermediate district shall enter the pupil membership audit reports for its constituent districts and for the intermediate district, for the pupil membership count day and supplemental count day, in the Michigan student data system.

(f) The annual financial audit reports and pupil accounting procedures reports shall be available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(g) Not later than January 31 of each year, the department shall notify the state budget director and the legislative appropriations subcommittees responsible for review of the school aid budget of districts and intermediate districts that have not filed an annual financial audit and pupil accounting procedures report required under this section for the school year ending in the immediately preceding fiscal year.

(5) By November 15 of each year, each district and intermediate district shall submit to the center, in a manner prescribed by the center, annual comprehensive financial data consistent with accounting manuals and charts of accounts approved and published by the department. For an intermediate district, the report shall also contain the website address where the department can access the report required under section 620 of the revised school code, MCL 380.620. The department shall ensure that the prescribed Michigan public school accounting manual chart of accounts includes standard conventions to distinguish expenditures by allowable fund function and object. The functions shall include at minimum categories for instruction, pupil support, instructional staff support, general administration, school administration, business administration, transportation, facilities operation and maintenance, facilities acquisition, and debt service; and shall include object classifications of salary, benefits, including categories for active employee health expenditures, purchased services, supplies, capital outlay, and other. Districts shall report the required level of detail consistent with the manual as part of the comprehensive annual financial report.

(6) By September 30 of each year, each district and intermediate district shall file with the department the special education actual cost report, known as "SE-4096", on a form and in the manner prescribed by the department.

(7) By October 7 of each year, each district and intermediate district shall file with the center the transportation expenditure report, known as "SE-4094", on a form and in the manner prescribed by the center.

(8) The department shall review its pupil accounting and pupil auditing manuals at least annually and shall periodically update those manuals to reflect changes in this article.

(9) If a district that is a public school academy purchases property using money received under this article, the public school academy shall retain ownership of the property unless the public school academy sells the property at fair market value.

(10) If a district or intermediate district does not comply with subsections (4), (5), (6), and (7), the department shall withhold all state school aid due to the district or intermediate district under this article, beginning with the next payment due to the

district or intermediate district, until the district or intermediate district complies with subsections (4), (5), (6), and (7). If the district or intermediate district does not comply with subsections (4), (5), (6), and (7) by the end of the fiscal year, the district or intermediate district forfeits the amount withheld.

(11) Not later than ~~October 1, 2012~~, **SEPTEMBER 1, 2014**, if a district or intermediate district offers online learning, the district or intermediate district shall submit to the department a report that details the per-pupil costs of operating the online learning. The report shall include ~~on a per-pupil basis~~, at least all of the following costs: **INFORMATION CONCERNING THE OPERATION OF ONLINE LEARNING FOR THE SCHOOL FISCAL YEAR ENDING JUNE 30, 2014:**

(a) ~~Textbooks, instructional materials, and supplies, including electronic instructional material.~~ **THE NAME OF THE DISTRICT OPERATING THE ONLINE LEARNING AND OF EACH DISTRICT THAT ENROLLED STUDENTS IN THE ONLINE LEARNING.**

(b) ~~Computer and other electronic equipment, including internet and telephone access.~~ **THE TOTAL NUMBER OF STUDENTS ENROLLED IN THE ONLINE LEARNING AND THE TOTAL NUMBER OF MEMBERSHIP PUPILS ENROLLED IN THE ONLINE LEARNING.**

(c) ~~Salaries and benefits for the online learning employees.~~ **FOR EACH PUPIL WHO IS ENROLLED IN A DISTRICT OTHER THAN THE DISTRICT OFFERING ONLINE LEARNING, THE NAME OF THAT DISTRICT.**

(d) ~~Purchased courses and curricula.~~ **THE DISTRICT IN WHICH THE PUPIL WAS ENROLLED BEFORE ENROLLING IN THE DISTRICT OFFERING ONLINE LEARNING.**

(e) ~~Fees associated with oversight and regulation.~~ **THE NUMBER OF PARTICIPATING STUDENTS WHO HAD PREVIOUSLY DROPPED OUT OF SCHOOL.**

(f) ~~Travel costs associated with school activities and testing.~~ **THE NUMBER OF PARTICIPATING STUDENTS WHO HAD PREVIOUSLY BEEN EXPELLED FROM SCHOOL.**

(g) ~~Facilities costs.~~ **THE TOTAL COST TO ENROLL A STUDENT IN THE PROGRAM. THIS COST SHALL BE REPORTED ON A PER-PUPIL, PER-COURSE, PER-SEMESTER OR TRIMESTER BASIS. THE TOTAL SHALL INCLUDE COSTS BROKEN DOWN BY COST FOR TRAINING, PERSONNEL, HARDWARE AND SOFTWARE, PAYMENT TO EACH ONLINE LEARNING PROVIDER, AND OTHER COSTS ASSOCIATED WITH OPERATING ONLINE LEARNING.**

(h) ~~Costs associated with special education.~~ **THE NAME OF EACH ONLINE EDUCATION PROVIDER CONTRACTED BY THE DISTRICT AND THE STATE IN WHICH EACH ONLINE EDUCATION PROVIDER IS HEADQUARTERED.**

(12) Not later than December 31, 2012, the department shall issue a report to the legislature including the following:

(a) A review of the data submitted under subsection (11):

(b) A comparison with costs of substantially similar programs in other states and relevant national research on the costs of online learning:

(c) Any conclusions concerning factors or characteristics of online learning programs that make a difference in the costs of operating the programs:

Sec. 18b. (1) Property of a public school academy that was acquired substantially with funds appropriated under this act **ARTICLE** shall be transferred to this state by the public school academy corporation if any of the following occur:

(a) The public school academy has been ineligible to receive funding under this act **ARTICLE** for 18 consecutive months.

(b) The public school academy's contract has been revoked or terminated for any reason.

(c) The public school academy's contract has **EXPIRED AND HAS** not been reissued by the authorizing body.

(2) A PUBLIC SCHOOL ACADEMY CORPORATION SHALL INITIATE THE PROCESS OF TRANSFERRING PROPERTY TO THIS STATE AS REQUIRED UNDER SUBSECTION (1) WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE EVENT THAT TRIGGERS THE PROCESS UNDER SUBSECTION (1).

(3) (2) Property required to be transferred to this state under this section includes title to all real and personal property, interests in real or personal property, and other assets owned by the public school academy corporation that were substantially acquired with funds appropriated under this act **ARTICLE**.

(4) (3) The state treasurer, or his or her designee, is authorized to dispose of property transferred to this state under this section. Except as otherwise provided in this section, the state treasurer shall deposit in the state school aid fund any money included in that property and the net proceeds from the sale of the property or interests in property, after payment by the state treasurer of any public school academy debt secured by the property or interest in property.

(5) (4) This section does not impose any liability on this state, any agency of this state, or an authorizing body for any debt incurred by a public school academy.

(6) (5) As used in this section and section 18c, "authorizing body" means an authorizing body defined under section 501 or 1311b of the revised school code, MCL 380.501 and 380.1311b.

Sec. 19. (1) A district or intermediate district shall comply with all applicable reporting requirements specified in state and federal law. Data provided to the center, in a form and manner prescribed by the center, shall be aggregated and disaggregated as required by state and federal law. In addition, a district or intermediate district shall cooperate with all measures taken by the center to establish and maintain a statewide P-20 longitudinal data system.

(2) Each district shall furnish to the center not later than 5 weeks after the pupil membership count day and by June 30 of the school fiscal year ending in the fiscal year, in a manner prescribed by the center, the information necessary for the preparation of the district and high school graduation report. This information shall meet requirements established in the pupil auditing manual approved and published by the department. The center shall calculate an annual graduation and pupil dropout rate for each high school, each district, and this state, in compliance with nationally recognized standards for these calculations. The center shall report all graduation and dropout rates to the senate and house education committees and appropriations committees, the state budget director, and the department not later than 30 days after the publication of the list described in subsection (6).

(3) By the first business day in December and by June 30 of each year, a district shall furnish to the center, in a manner prescribed by the center, information related to educational personnel as necessary for reporting required by state and federal law.

(4) By June 30 of each year, a district shall furnish to the center, in a manner prescribed by the center, information related to safety practices and criminal incidents as necessary for reporting required by state and federal law.

(5) If a district or intermediate district fails to meet the requirements of this section, the department shall withhold 5% of the total funds for which the district or intermediate district qualifies under this article until the district or intermediate district complies with all of those subsections. If the district or intermediate district does not comply with all of those subsections by the end of the fiscal year, the department shall place the amount withheld in an escrow account until the district or intermediate district complies with all of those subsections.

(6) Before publishing a list of ~~schools or districts determined to have failed to make adequate yearly progress~~ **SCHOOL OR DISTRICT ACCOUNTABILITY DESIGNATIONS** as required by the no child left behind act of 2001, Public Law 107-110, the department shall allow a school or district to appeal that determination. The department shall consider and act upon the appeal within 30 days after it is submitted and shall not publish the list until after all appeals have been considered and decided.

(7) It is the intent of the legislature to implement not later than 2014-2015 statewide standard reporting requirements for education data approved by the department in conjunction with the center. The department shall work with the center, intermediate districts, districts, and other interested stakeholders to develop recommendations on the implementation of this policy change. A district or intermediate district shall implement the statewide standard reporting requirements not later than 2014-2015 or when a district or intermediate district updates its education data reporting system, whichever is later.

Sec. 20. (1) For ~~2011-2012, and for 2012-2013,~~ **2013-2014**, the basic foundation allowance is ~~\$8,019.00~~ **\$8,049.00**.

(2) The amount of each district's foundation allowance shall be calculated as provided in this section, using a basic foundation allowance in the amount specified in subsection (1).

(3) Except as otherwise provided in this section, the amount of a district's foundation allowance shall be calculated as follows, using in all calculations the total amount of the district's foundation allowance as calculated before any proration:

(a) For a district that had a foundation allowance for the immediately preceding state fiscal year that was at least equal to the sum of \$7,108.00 plus the total dollar amount of all adjustments made from 2006-2007 to the immediately preceding state fiscal year in the lowest foundation allowance among all districts, but less than the basic foundation allowance for the immediately preceding state fiscal year, the district shall receive a foundation allowance in an amount equal to the sum of the **GREATER OF \$6,966.00 OR THE** district's foundation allowance for the immediately preceding state fiscal year plus the difference between twice the dollar amount of the adjustment from the immediately preceding state fiscal year to the current state fiscal year made in the basic foundation allowance and [(the dollar amount of the adjustment from the immediately preceding state fiscal year to the current state fiscal year made in the basic foundation allowance minus ~~\$20.00~~) **\$10.00**] times (the difference between the district's foundation allowance for the immediately preceding state fiscal year and the sum of \$7,108.00 plus the total dollar amount of all adjustments made from 2006-2007 to the immediately preceding state fiscal year in the lowest foundation allowance among all districts) divided by the difference between the basic foundation allowance for the current state fiscal year and the sum of \$7,108.00 plus the total dollar amount of all adjustments made from 2006-2007 to the immediately preceding state fiscal year in the lowest foundation allowance among all districts]. For 2011-2012, for a district that had a foundation allowance for the immediately preceding state fiscal year that was at least equal to the sum of \$7,108.00 plus the total dollar amount of all adjustments made from 2006-2007 to the immediately preceding state fiscal year in the lowest foundation allowance among all districts, but less than the basic foundation allowance for the immediately preceding state fiscal year, the district shall receive a foundation allowance in an amount equal to the district's foundation allowance for 2010-2011, minus \$470.00. Except as otherwise provided in subdivision (h), for ~~2012-2013,~~ **2013-2014**, for a district that had a foundation allowance for the immediately preceding state fiscal year that was at least equal to the sum of \$7,108.00 plus the total dollar amount of all adjustments made from 2006-2007 to the immediately preceding state fiscal year in the lowest foundation allowance among all districts, but less than the basic foundation allowance for the immediately preceding state fiscal year, the district shall receive a foundation allowance in an amount equal to the district's foundation allowance for the immediately preceding state fiscal year. However, the foundation allowance for a district that had less than the basic foundation allowance for the immediately preceding state fiscal year shall not exceed the basic foundation allowance for the current state fiscal year.

(b) Except as otherwise provided in this subsection, for a district that in the immediately preceding state fiscal year had a foundation allowance in an amount at least equal to the amount of the basic foundation allowance for the immediately preceding state fiscal year, the district shall receive a foundation allowance for 2011-2012 in an amount equal to the district's foundation

allowance for 2010-2011, minus \$470.00. For ~~2012-2013~~, **2013-2014**, except as otherwise provided in this subsection, for a district that in the immediately preceding state fiscal year had a foundation allowance in an amount at least equal to the amount of the basic foundation allowance for the immediately preceding state fiscal year, the district shall receive a foundation allowance for ~~2012-2013~~ in an amount equal to the district's foundation allowance for the immediately preceding state fiscal year.

(c) Except as otherwise provided in subdivision (d), for a district that in the 1994-95 state fiscal year had a foundation allowance greater than \$6,500.00, the district's foundation allowance is an amount equal to the sum of the district's foundation allowance for the immediately preceding state fiscal year plus the lesser of the increase in the basic foundation allowance for the current state fiscal year, as compared to the immediately preceding state fiscal year, or the product of the district's foundation allowance for the immediately preceding state fiscal year times the percentage increase in the United States consumer price index in the calendar year ending in the immediately preceding fiscal year as reported by the May revenue estimating conference conducted under section 367b of the management and budget act, 1984 PA 431, MCL 18.1367b. Except as otherwise provided in subdivision (d), for 2011-2012, for a district that in the 1994-1995 state fiscal year had a foundation allowance greater than \$6,500.00, the district's foundation allowance is an amount equal to the district's foundation allowance for the 2010-2011 fiscal year minus \$470.00. For ~~2012-2013~~, **2013-2014**, except as otherwise provided in subdivision (d), for a district that in the 1994-1995 state fiscal year had a foundation allowance greater than \$6,500.00, the district's foundation allowance is an amount equal to the district's foundation allowance for the immediately preceding state fiscal year.

(d) For a district that in the 1994-95 state fiscal year had a foundation allowance greater than \$6,500.00 and that had a foundation allowance for the 2009-2010 state fiscal year, as otherwise calculated under this section, that was less than the basic foundation allowance, the district's foundation allowance for 2011-2012 and each succeeding fiscal year shall be considered to be an amount equal to the basic foundation allowance.

(e) For a district that has a foundation allowance that is not a whole dollar amount, the district's foundation allowance shall be rounded up to the nearest whole dollar.

(f) For a district that received a payment under section 22c as that section was in effect for 2001-2002, the district's 2001-2002 foundation allowance shall be considered to have been an amount equal to the sum of the district's actual 2001-2002 foundation allowance as otherwise calculated under this section plus the per pupil amount of the district's equity payment for 2001-2002 under section 22c as that section was in effect for 2001-2002.

(g) For a district that received a payment under section 22c as that section was in effect for 2006-2007, the district's 2006-2007 foundation allowance shall be considered to have been an amount equal to the sum of the district's actual 2006-2007 foundation allowance as otherwise calculated under this section plus the per pupil amount of the district's equity payment for 2006-2007 under section 22c as that section was in effect for 2006-2007.

(h) For 2012-2013, for a district that had a foundation allowance for the 2011-2012 state fiscal year of less than \$6,966.00, the district's foundation allowance is an amount equal to \$6,966.00.

(4) Except as otherwise provided in this subsection, the state portion of a district's foundation allowance is an amount equal to the district's foundation allowance or the basic foundation allowance for the current state fiscal year, whichever is less, minus the difference between the sum of the product of the taxable value per membership pupil of all property in the district that is nonexempt property times the district's certified mills and, for a district with certified mills exceeding 12, the product of the taxable value per membership pupil of property in the district that is commercial personal property times the certified mills minus 12 mills and the quotient of the ad valorem property tax revenue of the district captured under tax increment financing acts divided by the district's membership excluding special education pupils. For a district described in subsection (3)(c), the state portion of the district's foundation allowance is an amount equal to \$6,962.00 plus the difference between the district's foundation allowance for the current state fiscal year and the district's foundation allowance for 1998-99, minus the difference between the sum of the product of the taxable value per membership pupil of all property in the district that is nonexempt property times the district's certified mills and, for a district with certified mills exceeding 12, the product of the taxable value per membership pupil of property in the district that is commercial personal property times the certified mills minus 12 mills and the quotient of the ad valorem property tax revenue of the district captured under tax increment financing acts divided by the district's membership excluding special education pupils. For a district that has a millage reduction required under section 31 of article IX of the state constitution of 1963, the state portion of the district's foundation allowance shall be calculated as if that reduction did not occur.

(5) The allocation calculated under this section for a pupil shall be based on the foundation allowance of the pupil's district of residence. For a pupil enrolled pursuant to section 105 or 105c in a district other than the pupil's district of residence, the allocation calculated under this section shall be based on the lesser of the foundation allowance of the pupil's district of residence or the foundation allowance of the educating district. For a pupil in membership in a K-5, K-6, or K-8 district who is enrolled in another district in a grade not offered by the pupil's district of residence, the allocation calculated under this section shall be based on the foundation allowance of the educating district if the educating district's foundation allowance is greater than the foundation allowance of the pupil's district of residence.

(6) Except as otherwise provided in this subsection, for pupils in membership, other than special education pupils, in a public school academy, the allocation calculated under this section is an amount per membership pupil other than special education pupils in the public school academy equal to the foundation allowance of the district in which the public school academy is

located or the state maximum public school academy allocation, whichever is less. However, a public school academy that had an allocation under this subsection before 2009-2010 that was equal to the sum of the local school operating revenue per membership pupil other than special education pupils for the district in which the public school academy is located and the state portion of that district's foundation allowance shall not have that allocation reduced as a result of the 2010 amendment to this subsection. Notwithstanding section 101, for a public school academy that begins operations after the pupil membership count day, the amount per membership pupil calculated under this subsection shall be adjusted by multiplying that amount per membership pupil by the number of hours of pupil instruction provided by the public school academy after it begins operations, as determined by the department, divided by the minimum number of hours of pupil instruction required under section 101(3). The result of this calculation shall not exceed the amount per membership pupil otherwise calculated under this subsection.

(7) Except as otherwise provided in this subsection, for pupils attending an achievement school and in membership in the education achievement system, other than special education pupils, the allocation calculated under this section is an amount per membership pupil other than special education pupils equal to the foundation allowance of the district in which the achievement school is located, not to exceed the basic foundation allowance. Notwithstanding section 101, for an achievement school that begins operation after the pupil membership count day, the amount per membership pupil calculated under this subsection shall be adjusted by multiplying that amount per membership pupil by the number of hours of pupil instruction provided by the achievement school after it begins operations, as determined by the department, divided by the minimum number of hours of pupil instruction required under section 101(3). The result of this calculation shall not exceed the amount per membership pupil otherwise calculated under this subsection. For the purposes of this subsection, if a public school is transferred from a district to the state school reform/redesign district or the achievement authority under section 1280c of the revised school code, that public school is considered to be an achievement school within the education achievement system and not a school that is part of a district, and a pupil attending that public school is considered to be in membership in the education achievement system and not in membership in the district that operated the school before the transfer.

(8) Subject to subsection (4), for a district that is formed or reconfigured after June 1, 2002 by consolidation of 2 or more districts or by annexation, the resulting district's foundation allowance under this section beginning after the effective date of the consolidation or annexation shall be **LESSER OF THE SUM OF** the average of the foundation allowances of each of the original or affected districts, calculated as provided in this section, weighted as to the percentage of pupils in total membership in the resulting district who reside in the geographic area of each of the original or affected districts **PLUS \$100.00 OR THE HIGHEST FOUNDATION ALLOWANCE AMONG THE ORIGINAL OR AFFECTED DISTRICTS.**

(9) Each fraction used in making calculations under this section shall be rounded to the fourth decimal place and the dollar amount of an increase in the basic foundation allowance shall be rounded to the nearest whole dollar.

(10) State payments related to payment of the foundation allowance for a special education pupil are not calculated under this section but are instead calculated under section 51a.

(11) To assist the legislature in determining the basic foundation allowance for the subsequent state fiscal year, each revenue estimating conference conducted under section 367b of the management and budget act, 1984 PA 431, MCL 18.1367b, shall calculate a pupil membership factor, a revenue adjustment factor, and an index as follows:

(a) The pupil membership factor shall be computed by dividing the estimated membership in the school year ending in the current state fiscal year, excluding intermediate district membership, by the estimated membership for the school year ending in the subsequent state fiscal year, excluding intermediate district membership. If a consensus membership factor is not determined at the revenue estimating conference, the principals of the revenue estimating conference shall report their estimates to the house and senate subcommittees responsible for school aid appropriations not later than 7 days after the conclusion of the revenue conference.

(b) The revenue adjustment factor shall be computed by dividing the sum of the estimated total state school aid fund revenue for the subsequent state fiscal year plus the estimated total state school aid fund revenue for the current state fiscal year, adjusted for any change in the rate or base of a tax the proceeds of which are deposited in that fund and excluding money transferred into that fund from the countercyclical budget and economic stabilization fund under the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, by the sum of the estimated total school aid fund revenue for the current state fiscal year plus the estimated total state school aid fund revenue for the immediately preceding state fiscal year, adjusted for any change in the rate or base of a tax the proceeds of which are deposited in that fund. If a consensus revenue factor is not determined at the revenue estimating conference, the principals of the revenue estimating conference shall report their estimates to the house and senate subcommittees responsible for school aid appropriations not later than 7 days after the conclusion of the revenue conference.

(c) The index shall be calculated by multiplying the pupil membership factor by the revenue adjustment factor. ~~However, for 2011-2012, the index shall be 0.93575 and for 2012-2013, the index shall be 1.00.~~ If a consensus index is not determined at the revenue estimating conference, the principals of the revenue estimating conference shall report their estimates to the house and senate subcommittees responsible for school aid appropriations not later than 7 days after the conclusion of the revenue conference.

(12) ~~For a district in which 7.75 mills levied in 1992 for school operating purposes in the 1992-93 school year were not renewed in 1993 for school operating purposes in the 1993-94 school year, the district's combined state and local revenue per membership pupil shall be recalculated as if that millage reduction did not occur and the district's foundation allowance shall be calculated as if its 1994-95 foundation allowance had been calculated using that recalculated 1993-94 combined state and local~~

revenue per membership pupil as a base. A district is not entitled to any retroactive payments for fiscal years before 2000-2001 due to this subsection. A district receiving an adjustment under this subsection shall not receive as a result of this adjustment an amount that exceeds 50% of the amount the district received as a result of this adjustment for 2010-2011. This adjustment shall not be made after 2011-2012.

(13) For a district in which an industrial facilities exemption certificate that abated taxes on property with a state equalized valuation greater than the total state equalized valuation of the district at the time the certificate was issued or \$700,000,000.00; whichever is greater, was issued under 1974 PA 198, MCL 207.551 to 207.572, before the calculation of the district's 1994-95 foundation allowance, the district's foundation allowance for 2002-2003 is an amount equal to the sum of the district's foundation allowance for 2002-2003, as otherwise calculated under this section, plus \$250.00. A district receiving an adjustment under this subsection shall not receive as a result of this adjustment an amount that exceeds 50% of the amount the district received as a result of this adjustment for 2010-2011. This adjustment shall not be made after 2011-2012.

(12) (14) For a district that received a grant under former section 32e for 2001-2002, the district's foundation allowance for 2002-2003 and each succeeding fiscal year shall be adjusted to be an amount equal to the sum of the district's foundation allowance, as otherwise calculated under this section, plus the quotient of 100% of the amount of the grant award to the district for 2001-2002 under former section 32e divided by the number of pupils in the district's membership for 2001-2002 who were residents of and enrolled in the district. **ALL OF THE FOLLOWING APPLY TO DISTRICTS RECEIVING A FOUNDATION ALLOWANCE ADJUSTMENT UNDER THIS SUBSECTION:**

(A) Except as otherwise provided in this subsection, ~~SUBDIVISION~~, a district qualifying for a foundation allowance adjustment under this subsection shall use the funds resulting from this adjustment for at least 1 of grades K to 3 for purposes allowable under former section 32e as in effect for 2001-2002. For an individual school or schools operated by a district qualifying for a foundation allowance **ADJUSTMENT** under this subsection that have been determined by the department to meet the adequate yearly progress standards of the federal no child left behind act of 2001, Public Law 107-110, in both mathematics and English language arts at all applicable grade levels for all applicable subgroups, the district may submit to the department an application for flexibility in using the funds resulting from this adjustment that are attributable to the pupils in the school or schools. The application shall identify the affected school or schools and the affected funds and shall contain a plan for using the funds for specific purposes identified by the district that are designed to reduce class size, but that may be different from the purposes otherwise allowable under this subsection. ~~SUBDIVISION~~. The department shall approve the application if the department determines that the purposes identified in the plan are reasonably designed to reduce class size. If the department does not act to approve or disapprove an application within 30 days after it is submitted to the department, the application is considered to be approved. If an application for flexibility in using the funds is approved, the district may use the funds identified in the application for any purpose identified in the plan.

(B) A district receiving an adjustment under this subsection shall not receive as a result of this adjustment an amount that exceeds 68.5% of the amount the district received as a result of this adjustment for 2010-2011.

(C) **NOTWITHSTANDING SUBSECTION (8), FOR A DISTRICT THAT IS FORMED OR RECONFIGURED BY CONSOLIDATION OF 2 OR MORE DISTRICTS, 1 OF WHICH RECEIVED AN ADJUSTMENT UNDER THIS SUBSECTION FOR 2012-2013, THE RESULTING DISTRICT'S FOUNDATION ALLOWANCE FOR 2013-2014 AND EACH SUCCEEDING FISCAL YEAR SHALL BE ADJUSTED TO BE AN AMOUNT EQUAL TO THE SUM OF THE RESULTING DISTRICT'S FOUNDATION ALLOWANCE AS CALCULATED UNDER SUBSECTION (8) EXCLUDING ANY ADJUSTMENT CALCULATED UNDER THIS SUBSECTION PLUS [(THE ORIGINAL DISTRICT'S ADJUSTMENT UNDER THIS SUBSECTION IN 2012-2013 TIMES THE NUMBER OF PUPILS IN THE ORIGINAL DISTRICT'S MEMBERSHIP FOR 2012-2013) DIVIDED BY THE NUMBER OF PUPILS IN THE RESULTING DISTRICT'S MEMBERSHIP FOR 2013-2014].**

(D) **BEGINNING IN 2013-2014, FOR A DISTRICT THAT RECEIVED AN ADJUSTMENT FOR THE IMMEDIATELY PRECEDING FISCAL YEAR AND THAT HAD A FOUNDATION ALLOWANCE AS ADJUSTED BY THIS SUBSECTION FOR THE IMMEDIATELY PRECEDING FISCAL YEAR EQUAL TO \$6,966.00, THE DISTRICT SHALL NOT RECEIVE AN ADJUSTMENT UNDER THIS SECTION FOR THE CURRENT FISCAL YEAR.**

(15) For a district that levied 1.9 mills in 1993 to finance an operating deficit, the district's foundation allowance shall be calculated as if those mills were included as operating mills in the calculation of the district's 1994-1995 foundation allowance. A district is not entitled to any retroactive payments for fiscal years before 2006-2007 due to this subsection. A district receiving an adjustment under this subsection shall not receive more than \$800,000.00 for a fiscal year as a result of this adjustment. A district receiving an adjustment under this subsection shall not receive as a result of this adjustment an amount that exceeds 50% of the amount the district received as a result of this adjustment for 2010-2011. This adjustment shall not be made after 2011-2012.

(16) For a district that levied 2.23 mills in 1993 to finance an operating deficit, the district's foundation allowance shall be calculated as if those mills were included as operating mills in the calculation of the district's 1994-1995 foundation allowance. A district is not entitled to any retroactive payments for fiscal years before 2006-2007 due to this subsection. A district receiving an adjustment under this subsection shall not receive more than \$500,000.00 for a fiscal year as a result of this adjustment. A

~~district receiving an adjustment under this subsection shall not receive as a result of this adjustment an amount that exceeds 50% of the amount the district received as a result of this adjustment for 2010-2011. This adjustment shall not be made after 2011-2012.~~

~~(13) (17)~~ Payments to districts, public school academies, or the education achievement system shall not be made under this section. Rather, the calculations under this section shall be used to determine the amount of state payments under section 22b.

~~(14) (18)~~ If an amendment to section 2 of article VIII of the state constitution of 1963 allowing state aid to some or all nonpublic schools is approved by the voters of this state, each foundation allowance or per pupil payment calculation under this section may be reduced.

~~(15) (19)~~ As used in this section:

(a) "Certified mills" means the lesser of 18 mills or the number of mills of school operating taxes levied by the district in 1993-94.

(b) "Combined state and local revenue" means the aggregate of the district's state school aid received by or paid on behalf of the district under this section and the district's local school operating revenue.

(c) "Combined state and local revenue per membership pupil" means the district's combined state and local revenue divided by the district's membership excluding special education pupils.

(d) "Current state fiscal year" means the state fiscal year for which a particular calculation is made.

(e) "Immediately preceding state fiscal year" means the state fiscal year immediately preceding the current state fiscal year.

(f) "Local school operating revenue" means school operating taxes levied under section 1211 of the revised school code, MCL 380.1211.

(g) "Local school operating revenue per membership pupil" means a district's local school operating revenue divided by the district's membership excluding special education pupils.

(h) "Maximum public school academy allocation", except as otherwise provided in this subdivision, means the maximum per-pupil allocation as calculated by adding the highest per-pupil allocation among all public school academies for the immediately preceding state fiscal year plus the difference between twice the dollar amount of the adjustment from the immediately preceding state fiscal year to the current state fiscal year made in the basic foundation allowance and [(the dollar amount of the adjustment from the immediately preceding state fiscal year to the current state fiscal year made in the basic foundation allowance minus ~~\$20.00~~ **\$10.00**) times (the difference between the highest per-pupil allocation among all public school academies for the immediately preceding state fiscal year and the sum of \$7,108.00 plus the total dollar amount of all adjustments made from 2006-2007 to the immediately preceding state fiscal year in the lowest per-pupil allocation among all public school academies) divided by the difference between the basic foundation allowance for the current state fiscal year and the sum of \$7,108.00 plus the total dollar amount of all adjustments made from 2006-2007 to the immediately preceding state fiscal year in the lowest per-pupil allocation among all public school academies]. ~~For 2011-2012 and 2012-2013, maximum public school academy allocation means \$7,110.00.~~

(i) "Membership" means the definition of that term under section 6 as in effect for the particular fiscal year for which a particular calculation is made.

(j) "Nonexempt property" means property that is not a principal residence, qualified agricultural property, qualified forest property, supportive housing property, industrial personal property, or commercial personal property.

(k) "Principal residence", "qualified agricultural property", "qualified forest property", "supportive housing property", "industrial personal property", and "commercial personal property" mean those terms as defined in section 1211 of the revised school code, MCL 380.1211.

(l) "School operating purposes" means the purposes included in the operation costs of the district as prescribed in sections 7 and 18.

(m) "School operating taxes" means local ad valorem property taxes levied under section 1211 of the revised school code, MCL 380.1211, and retained for school operating purposes.

(n) "Tax increment financing acts" means 1975 PA 197, MCL 125.1651 to 125.1681, the tax increment finance authority act, 1980 PA 450, MCL 125.1801 to 125.1830, the local development financing act, 1986 PA 281, MCL 125.2151 to 125.2174, the brownfield redevelopment financing act, 1996 PA 381, MCL 125.2651 to 125.2672, or the corridor improvement authority act, 2005 PA 280, MCL 125.2871 to 125.2899.

(o) "Taxable value per membership pupil" means taxable value, as certified by the department of treasury, for the calendar year ending in the current state fiscal year divided by the district's membership excluding special education pupils for the school year ending in the current state fiscal year.

Sec. 20d. In making the final determination required under former section 20a of a district's combined state and local revenue per membership pupil in 1993-94 and in making calculations under section 20 for ~~2012-2013, 2013-2014~~, the department and the department of treasury shall comply with all of the following:

(a) For a district that had combined state and local revenue per membership pupil in the 1994-95 state fiscal year of \$6,500.00 or more and served as a fiscal agent for a state board designated area vocational education center in the 1993-94 school year, total state school aid received by or paid on behalf of the district pursuant to this act in 1993-94 shall exclude payments made under former section 146 and under section 147 on behalf of the district's employees who provided direct services to the area vocational education center. Not later than June 30, 1996, the department shall make an adjustment under this subdivision to the

district's combined state and local revenue per membership pupil in the 1994-95 state fiscal year and the department of treasury shall make a final certification of the number of mills that may be levied by the district under section 1211 of the revised school code, MCL 380.1211, as a result of the adjustment under this subdivision.

(b) If a district had an adjustment made to its 1993-94 total state school aid that excluded payments made under former section 146 and under section 147 on behalf of the district's employees who provided direct services for intermediate district center programs operated by the district under article 5, if nonresident pupils attending the center programs were included in the district's membership for purposes of calculating the combined state and local revenue per membership pupil for 1993-94, and if there is a signed agreement by all constituent districts of the intermediate district that an adjustment under this subdivision shall be made, the foundation allowances for 1995-96 and 1996-97 of all districts that had pupils attending the intermediate district center program operated by the district that had the adjustment shall be calculated as if their combined state and local revenue per membership pupil for 1993-94 included resident pupils attending the center program and excluded nonresident pupils attending the center program.

SEC. 20F. (1) FROM THE FUNDS APPROPRIATED IN SECTION 11, THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$6,000,000.00 FOR 2013-2014 FOR PAYMENTS TO ELIGIBLE DISTRICTS UNDER THIS SECTION. A DISTRICT IS ELIGIBLE FOR FUNDING UNDER THIS SECTION IF THE SUM OF THE FOLLOWING IS LESS THAN \$5.00:

(A) THE INCREASE IN THE DISTRICT'S FOUNDATION ALLOWANCE OR PER PUPIL PAYMENT AS CALCULATED UNDER SECTION 20 FROM 2012-2013 TO 2013-2014.

(B) THE DISTRICT'S EQUITY PAYMENT PER MEMBERSHIP PUPIL UNDER SECTION 22C.

(C) THE QUOTIENT OF THE DISTRICT'S ALLOCATION UNDER SECTION 147A FOR 2012-2013 DIVIDED BY THE DISTRICT'S MEMBERSHIP PUPILS FOR 2012-2013 MINUS THE QUOTIENT OF THE DISTRICT'S ALLOCATION UNDER SECTION 147A FOR 2013-2014 DIVIDED BY THE DISTRICT'S MEMBERSHIP PUPILS FOR 2013-2014.

(2) THE AMOUNT ALLOCATED TO EACH ELIGIBLE DISTRICT UNDER THIS SECTION IS AN AMOUNT PER MEMBERSHIP PUPIL EQUAL TO \$5.00 MINUS THE SUM OF THE FOLLOWING:

(A) THE INCREASE IN THE DISTRICT'S FOUNDATION ALLOWANCE OR PER PUPIL PAYMENT AS CALCULATED UNDER SECTION 20 FROM 2012-2013 TO 2013-2014.

(B) THE DISTRICT'S EQUITY PAYMENT PER MEMBERSHIP PUPIL UNDER SECTION 22C.

(C) THE QUOTIENT OF THE DISTRICT'S ALLOCATION UNDER SECTION 147A FOR 2012-2013 DIVIDED BY THE DISTRICT'S MEMBERSHIP PUPILS FOR 2012-2013 MINUS THE QUOTIENT OF THE DISTRICT'S ALLOCATION UNDER SECTION 147A FOR 2013-2014 DIVIDED BY THE DISTRICT'S MEMBERSHIP PUPILS FOR 2013-2014.

SEC. 21F. (1) A PUPIL ENROLLED IN A DISTRICT IN ANY OF GRADES 5 TO 12 IS ELIGIBLE TO ENROLL IN AN ONLINE COURSE AS PROVIDED FOR IN THIS SECTION. HOWEVER, THIS SECTION DOES NOT APPLY TO A PUPIL ENROLLED IN A SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL, AS DEFINED IN SECTION 551 OF THE REVISED SCHOOL CODE, MCL 380.551.

(2) WITH THE CONSENT OF THE PUPIL'S PARENT OR LEGAL GUARDIAN, A DISTRICT SHALL ENROLL AN ELIGIBLE PUPIL IN UP TO 2 ONLINE COURSES AS REQUESTED BY THE PUPIL DURING AN ACADEMIC TERM, SEMESTER, OR TRIMESTER. IT IS THE INTENT OF THE LEGISLATURE TO CONSIDER INCREASING THE LIMIT ON THE NUMBER OF ONLINE COURSES THAT A PUPIL MAY ENROLL IN BEGINNING IN 2014-2015 FOR PUPILS WHO HAVE DEMONSTRATED PREVIOUS SUCCESS WITH ONLINE COURSES. CONSENT OF THE PUPIL'S PARENT OR LEGAL GUARDIAN IS NOT REQUIRED IF THE PUPIL IS AT LEAST AGE 18 OR IS AN EMANCIPATED MINOR.

(3) AN ELIGIBLE PUPIL MAY ENROLL IN AN ONLINE COURSE PUBLISHED IN THE PUPIL'S EDUCATING DISTRICT'S CATALOG OF ONLINE COURSES DESCRIBED IN SUBSECTION (7)(A) OR THE STATEWIDE CATALOG OF ONLINE COURSES MAINTAINED BY THE MICHIGAN VIRTUAL UNIVERSITY PURSUANT TO SECTION 98.

(4) A DISTRICT SHALL DETERMINE WHETHER OR NOT IT HAS CAPACITY TO ACCEPT APPLICATIONS FOR ENROLLMENT FROM NONRESIDENT APPLICANTS IN ONLINE COURSES AND MAY USE THAT LIMIT AS THE REASON FOR REFUSAL TO ENROLL AN APPLICANT. IF THE NUMBER OF NONRESIDENT APPLICANTS ELIGIBLE FOR ACCEPTANCE IN AN ONLINE COURSE DOES NOT EXCEED THE CAPACITY OF THE DISTRICT TO PROVIDE THE ONLINE COURSE, THE DISTRICT SHALL ACCEPT FOR ENROLLMENT ALL OF THE NONRESIDENT APPLICANTS ELIGIBLE FOR ACCEPTANCE. IF THE NUMBER OF NONRESIDENT APPLICANTS EXCEEDS THE DISTRICT'S CAPACITY TO PROVIDE THE ONLINE COURSE, THE DISTRICT SHALL USE A RANDOM DRAW SYSTEM, SUBJECT TO THE NEED TO ABIDE BY STATE AND FEDERAL ANTIDISCRIMINATION LAWS AND COURT ORDERS.

(5) A DISTRICT MAY DENY A PUPIL ENROLLMENT IN AN ONLINE COURSE IF ANY OF THE FOLLOWING APPLY, AS DETERMINED BY THE DISTRICT:

(A) THE PUPIL HAS PREVIOUSLY GAINED THE CREDITS PROVIDED FROM THE COMPLETION OF THE ONLINE COURSE.

(B) THE ONLINE COURSE IS NOT CAPABLE OF GENERATING ACADEMIC CREDIT.

(C) THE ONLINE COURSE IS INCONSISTENT WITH THE REMAINING GRADUATION REQUIREMENTS OR CAREER INTERESTS OF THE PUPIL.

(D) THE PUPIL DOES NOT POSSESS THE PREREQUISITE KNOWLEDGE AND SKILLS TO BE SUCCESSFUL IN THE ONLINE COURSE OR HAS DEMONSTRATED FAILURE IN PREVIOUS ONLINE COURSEWORK IN THE SAME SUBJECT.

(E) THE ONLINE COURSE IS OF INSUFFICIENT QUALITY OR RIGOR. A DISTRICT THAT DENIES A PUPIL ENROLLMENT FOR THIS REASON SHALL MAKE A REASONABLE EFFORT TO ASSIST THE PUPIL TO FIND AN ALTERNATIVE COURSE IN THE SAME OR A SIMILAR SUBJECT THAT IS OF ACCEPTABLE RIGOR AND QUALITY.

(6) IF A PUPIL IS DENIED ENROLLMENT IN AN ONLINE COURSE BY A DISTRICT, THE PUPIL MAY APPEAL THE DENIAL BY SUBMITTING A LETTER TO THE SUPERINTENDENT OF THE INTERMEDIATE DISTRICT IN WHICH THE PUPIL'S EDUCATING DISTRICT IS LOCATED. THE LETTER OF APPEAL SHALL INCLUDE THE REASON PROVIDED BY THE DISTRICT FOR NOT ENROLLING THE PUPIL AND THE REASON WHY THE PUPIL IS CLAIMING THAT THE ENROLLMENT SHOULD BE APPROVED. THE INTERMEDIATE DISTRICT SUPERINTENDENT OR DESIGNEE SHALL RESPOND TO THE APPEAL WITHIN 5 DAYS AFTER IT IS RECEIVED. IF THE INTERMEDIATE DISTRICT SUPERINTENDENT OR DESIGNEE DETERMINES THAT THE DENIAL OF ENROLLMENT DOES NOT MEET 1 OR MORE OF THE REASONS SPECIFIED IN SUBSECTION (5), THE DISTRICT SHALL ALLOW THE PUPIL TO ENROLL IN THE ONLINE COURSE.

(7) TO OFFER OR PROVIDE AN ONLINE COURSE, A DISTRICT SHALL DO ALL OF THE FOLLOWING:

(A) PROVIDE THE MICHIGAN VIRTUAL UNIVERSITY WITH THE COURSE SYLLABUS IN A FORM AND METHOD PRESCRIBED BY THE DEPARTMENT FOR INCLUSION IN A STATEWIDE ONLINE COURSE CATALOG. THE DISTRICT SHALL ALSO PROVIDE ON ITS PUBLICLY ACCESSIBLE WEBSITE A LINK TO THE COURSE SYLLABI FOR ALL OF THE ONLINE COURSES OFFERED BY THE DISTRICT AND A LINK TO THE STATEWIDE CATALOG OF ONLINE COURSES MAINTAINED BY THE MICHIGAN VIRTUAL UNIVERSITY.

(B) OFFER THE ONLINE COURSE ON AN OPEN ENTRY AND EXIT METHOD, OR ALIGNED TO A SEMESTER, TRIMESTER, OR ACCELERATED ACADEMIC TERM FORMAT.

(8) FOR A PUPIL ENROLLED IN 1 OR MORE ONLINE COURSES PUBLISHED IN THE PUPIL'S EDUCATING DISTRICT'S CATALOG OF ONLINE COURSES UNDER SUBSECTION (7) OR IN THE STATEWIDE CATALOG OF ONLINE COURSES MAINTAINED BY THE MICHIGAN VIRTUAL UNIVERSITY, THE DISTRICT SHALL USE FOUNDATION ALLOWANCE OR PER PUPIL FUNDS CALCULATED UNDER SECTION 20 TO PAY FOR THE EXPENSES ASSOCIATED WITH THE ONLINE COURSE OR COURSES. THE DISTRICT SHALL PAY 80% OF THE COST OF THE ONLINE COURSE UPON ENROLLMENT AND 20% UPON COMPLETION AS DETERMINED BY THE DISTRICT. A DISTRICT IS NOT REQUIRED TO PAY TOWARD THE COST OF AN ONLINE COURSE AN AMOUNT THAT EXCEEDS 1/12 OF THE DISTRICT'S FOUNDATION ALLOWANCE OR PER PUPIL PAYMENT AS CALCULATED UNDER SECTION 20 PER SEMESTER OR AN AMOUNT THAT EXCEEDS 1/18 OF THE DISTRICT'S FOUNDATION ALLOWANCE OR PER PUPIL PAYMENT AS CALCULATED UNDER SECTION 20 PER TRIMESTER.

(9) AN ONLINE LEARNING PUPIL SHALL HAVE THE SAME RIGHTS AND ACCESS TO TECHNOLOGY IN HIS OR HER EDUCATING DISTRICT'S SCHOOL FACILITIES AS ALL OTHER PUPILS ENROLLED IN THE EDUCATING DISTRICT.

(10) IF A PUPIL SUCCESSFULLY COMPLETES AN ONLINE COURSE, AS DETERMINED BY THE DISTRICT, THE PUPIL'S DISTRICT SHALL GRANT APPROPRIATE ACADEMIC CREDIT FOR COMPLETION OF THE COURSE AND SHALL COUNT THAT CREDIT TOWARD COMPLETION OF GRADUATION AND SUBJECT AREA REQUIREMENTS. A PUPIL'S SCHOOL RECORD AND TRANSCRIPT SHALL IDENTIFY THE ONLINE COURSE TITLE AS IT APPEARS IN THE ONLINE COURSE SYLLABUS.

(11) THE ENROLLMENT OF A PUPIL IN 1 OR MORE ONLINE COURSES SHALL NOT RESULT IN A PUPIL BEING COUNTED AS MORE THAN 1.0 FULL-TIME EQUIVALENT PUPILS UNDER THIS ACT.

(12) AS USED IN THIS SECTION:

(A) "ONLINE COURSE" MEANS A COURSE OF STUDY THAT IS CAPABLE OF GENERATING A CREDIT OR A GRADE, THAT IS PROVIDED IN AN INTERACTIVE INTERNET-CONNECTED LEARNING ENVIRONMENT, IN WHICH PUPILS ARE SEPARATED FROM THEIR TEACHERS BY TIME OR LOCATION, OR BOTH, AND IN WHICH A TEACHER WHO HOLDS A VALID MICHIGAN TEACHING CERTIFICATE IS RESPONSIBLE FOR DETERMINING APPROPRIATE INSTRUCTIONAL METHODS FOR EACH PUPIL, DIAGNOSING LEARNING NEEDS, ASSESSING PUPIL LEARNING, PRESCRIBING INTERVENTION STRATEGIES, REPORTING OUTCOMES, AND EVALUATING THE EFFECTS OF INSTRUCTION AND SUPPORT STRATEGIES.

(B) "ONLINE COURSE SYLLABUS" MEANS A DOCUMENT THAT INCLUDES ALL OF THE FOLLOWING:

- (i) THE STATE ACADEMIC STANDARDS ADDRESSED IN AN ONLINE COURSE.**
- (ii) THE ONLINE COURSE CONTENT OUTLINE.**
- (iii) THE ONLINE COURSE REQUIRED ASSESSMENTS.**
- (iv) THE ONLINE COURSE PREREQUISITES.**
- (v) EXPECTATIONS FOR ACTUAL INSTRUCTOR CONTACT TIME WITH THE ONLINE LEARNING PUPIL AND OTHER PUPIL-TO-INSTRUCTOR COMMUNICATIONS.**
- (vi) ACADEMIC SUPPORT AVAILABLE TO THE ONLINE LEARNING PUPIL.**
- (vii) THE ONLINE COURSE LEARNING OUTCOMES AND OBJECTIVES.**
- (viii) THE NAME OF THE INSTITUTION OR ORGANIZATION PROVIDING THE ONLINE CONTENT.**
- (ix) THE NAME OF THE INSTITUTION OR ORGANIZATION PROVIDING THE ONLINE INSTRUCTOR.**
- (x) THE COURSE TITLES ASSIGNED BY THE DISTRICT AND THE COURSE TITLES AND COURSE CODES FROM THE NATIONAL CENTER FOR EDUCATION STATISTICS (NCES) SCHOOL CODES FOR THE EXCHANGE OF DATA (SCED).**
- (xi) THE NUMBER OF ELIGIBLE NONRESIDENT PUPILS THAT WILL BE ACCEPTED BY THE DISTRICT IN THE ONLINE COURSE.**
- (xii) THE RESULTS OF THE ONLINE COURSE QUALITY REVIEW USING THE GUIDELINES AND MODEL REVIEW PROCESS PUBLISHED BY THE MICHIGAN VIRTUAL UNIVERSITY.**

(C) "ONLINE LEARNING PUPIL" MEANS A PUPIL ENROLLED IN 1 OR MORE ONLINE COURSES.

Sec. 22a. (1) From the appropriation in section 11, ~~there is allocated an amount not to exceed \$5,776,000,000.00 for 2011-2012 and there is allocated an amount not to exceed \$5,712,000,000.00 for 2012-2013~~ **\$5,630,000,000.00 FOR 2012-2013 AND THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$5,534,000,000.00 FOR 2013-2014** for payments to districts and qualifying public school academies to guarantee each district and qualifying public school academy an amount equal to its 1994-95 total state and local per pupil revenue for school operating purposes under section 11 of article IX of the state constitution of 1963. Pursuant to section 11 of article IX of the state constitution of 1963, this guarantee does not apply to a district in a year in which the district levies a millage rate for school district operating purposes less than it levied in 1994. However, subsection (2) applies to calculating the payments under this section. Funds allocated under this section that are not expended in the state fiscal year for which they were allocated, as determined by the department, may be used to supplement the allocations under sections 22b and 51c in order to fully fund those calculated allocations for the same fiscal year.

(2) To ensure that a district receives an amount equal to the district's 1994-95 total state and local per pupil revenue for school operating purposes, there is allocated to each district a state portion of the district's 1994-95 foundation allowance in an amount calculated as follows:

(a) Except as otherwise provided in this subsection, the state portion of a district's 1994-95 foundation allowance is an amount equal to the district's 1994-95 foundation allowance or \$6,500.00, whichever is less, minus the difference between the sum of the product of the taxable value per membership pupil of all property in the district that is nonexempt property times the district's certified mills and, for a district with certified mills exceeding 12, the product of the taxable value per membership pupil of property in the district that is commercial personal property times the certified mills minus 12 mills and the quotient of the ad valorem property tax revenue of the district captured under tax increment financing acts divided by the district's membership. For a district that has a millage reduction required under section 31 of article IX of the state constitution of 1963, the state portion of the district's foundation allowance shall be calculated as if that reduction did not occur.

(b) For a district that had a 1994-95 foundation allowance greater than \$6,500.00, the state payment under this subsection shall be the sum of the amount calculated under subdivision (a) plus the amount calculated under this subdivision. The amount calculated under this subdivision shall be equal to the difference between the district's 1994-95 foundation allowance minus \$6,500.00 and the current year hold harmless school operating taxes per pupil. If the result of the calculation under subdivision (a) is negative, the negative amount shall be an offset against any state payment calculated under this subdivision. If the result of a calculation under this subdivision is negative, there shall not be a state payment or a deduction under this subdivision. The taxable values per membership pupil used in the calculations under this subdivision are as adjusted by ad valorem property tax revenue captured under tax increment financing acts divided by the district's membership.

(3) Beginning in 2003-2004, for pupils in membership in a qualifying public school academy, there is allocated under this section to the authorizing body that is the fiscal agent for the qualifying public school academy for forwarding to the qualifying public school academy an amount equal to the 1994-95 per pupil payment to the qualifying public school academy under section 20.

(4) A district or qualifying public school academy may use funds allocated under this section in conjunction with any federal funds for which the district or qualifying public school academy otherwise would be eligible.

(5) For a district that is formed or reconfigured after June 1, 2000 by consolidation of 2 or more districts or by annexation, the resulting district's 1994-95 foundation allowance under this section beginning after the effective date of the consolidation or annexation shall be the average of the 1994-95 foundation allowances of each of the original or affected districts, calculated as provided in this section, weighted as to the percentage of pupils in total membership in the resulting district in the state fiscal year in which the consolidation takes place who reside in the geographic area of each of the original districts. If an affected

district's 1994-95 foundation allowance is less than the 1994-95 basic foundation allowance, the amount of that district's 1994-95 foundation allowance shall be considered for the purpose of calculations under this subsection to be equal to the amount of the 1994-95 basic foundation allowance.

~~(6) Subject to conditions set forth in this subsection, from the allocation in subsection (1), there is allocated for 2011-2012 only an amount not to exceed \$6,000,000.00 for payments to districts that meet the eligibility requirements under this subsection, for the reduction in school operating revenues resulting from a settlement or other disposition of appeals described in subdivision (a). A payment may only be made under this subsection if a settlement agreement is signed by all applicable parties. Payments made under this subsection shall be in accordance with the settlement agreement. All of the following apply to payments under this subsection:~~

~~(a) To be eligible for a payment under this subsection, a district shall be determined by the department and the department of treasury to meet all of the following:~~

~~(i) The district does not receive any state portion of its foundation allowance, as calculated under section 20(4).~~

~~(ii) Before January 1, 2011, the owner of a natural-gas-powered power plant located in a renaissance zone within the district's geographic boundaries for 2009 and 2010 appealed to the Michigan tax tribunal an order of the state tax commission for tax years 2009 and 2010 pursuant to section 154 of the general property tax act, 1893 PA 206, MCL 211.154, and appealed to the state tax commission the 2011 classification and valuation of the power plant.~~

~~(iii) The district received a reduced amount of local school operating revenue for tax years 2009, 2010, and 2011 as a result of the exemptions of industrial personal property and commercial personal property under section 1211 of the revised school code, MCL 380.1211.~~

~~(iv) A settlement agreement has been signed to resolve the Michigan tax tribunal appeal described in subparagraph (ii) and a memorandum of understanding that stipulates terms of the settlement has been executed by the parties.~~

~~(b) A payment made under this subsection shall be in addition to renaissance zone reimbursement amounts paid in the 2009-2010 and 2010-2011 state fiscal years under section 26a to districts eligible for payment under this subsection. The 2009-2010 and 2010-2011 state fiscal year payments under section 26a to a district receiving a payment under this subsection shall not be reduced as a result of the reduction to the district's 2009 and 2010 taxable value of real property under the appeals described in subdivision (a)(ii).~~

~~(6) (7) As used in this section:~~

~~(a) "1994-95 foundation allowance" means a district's 1994-95 foundation allowance calculated and certified by the department of treasury or the superintendent under former section 20a as enacted in 1993 PA 336 and as amended by 1994 PA 283.~~

~~(b) "Certified mills" means the lesser of 18 mills or the number of mills of school operating taxes levied by the district in 1993-94.~~

~~(c) "Current state fiscal year" means the state fiscal year for which a particular calculation is made.~~

~~(d) "Current year hold harmless school operating taxes per pupil" means the per pupil revenue generated by multiplying a district's 1994-95 hold harmless millage by the district's current year taxable value per membership pupil.~~

~~(e) "Hold harmless millage" means, for a district with a 1994-95 foundation allowance greater than \$6,500.00, the number of mills by which the exemption from the levy of school operating taxes on a homestead, qualified agricultural property, qualified forest property, supportive housing property, industrial personal property, and commercial personal property could be reduced as provided in section 1211 of the revised school code, MCL 380.1211, and the number of mills of school operating taxes that could be levied on all property as provided in section 1211(2) of the revised school code, MCL 380.1211, as certified by the department of treasury for the 1994 tax year.~~

~~(f) "Homestead", "qualified agricultural property", "qualified forest property", "supportive housing property", "industrial personal property", and "commercial personal property" mean those terms as defined in section 1211 of the revised school code, MCL 380.1211.~~

~~(g) "Membership" means the definition of that term under section 6 as in effect for the particular fiscal year for which a particular calculation is made.~~

~~(h) "Nonexempt property" means property that is not a principal residence, qualified agricultural property, qualified forest property, supportive housing property, industrial personal property, or commercial personal property.~~

~~(i) "Qualifying public school academy" means a public school academy that was in operation in the 1994-95 school year and is in operation in the current state fiscal year.~~

~~(j) "School operating taxes" means local ad valorem property taxes levied under section 1211 of the revised school code, MCL 380.1211, and retained for school operating purposes.~~

~~(k) "Tax increment financing acts" means 1975 PA 197, MCL 125.1651 to 125.1681, the tax increment finance authority act, 1980 PA 450, MCL 125.1801 to 125.1830, the local development financing act, 1986 PA 281, MCL 125.2151 to 125.2174, the brownfield redevelopment financing act, 1996 PA 381, MCL 125.2651 to 125.2672, or the corridor improvement authority act, 2005 PA 280, MCL 125.2871 to 125.2899.~~

~~(l) "Taxable value per membership pupil" means each of the following divided by the district's membership:~~

~~(i) For the number of mills by which the exemption from the levy of school operating taxes on a homestead, qualified agricultural property, qualified forest property, supportive housing property, industrial personal property, and commercial~~

personal property may be reduced as provided in section 1211 of the revised school code, MCL 380.1211, the taxable value of homestead, qualified agricultural property, qualified forest property, supportive housing property, industrial personal property, and commercial personal property for the calendar year ending in the current state fiscal year.

(ii) For the number of mills of school operating taxes that may be levied on all property as provided in section 1211(2) of the revised school code, MCL 380.1211, the taxable value of all property for the calendar year ending in the current state fiscal year.

Sec. 22b. (1) From the ~~state funds appropriated~~ **APPROPRIATION** in section 11, ~~there is allocated for 2011-2012 an amount not to exceed \$3,052,000,000.00 and there is allocated for 2012-2013 an amount not to exceed \$3,152,300,000.00~~ **\$3,215,000,000.00 FOR 2012-2013 AND THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$3,373,700,000.00 FOR 2013-2014** for discretionary nonmandated payments to districts under this section. Funds allocated under this section that are not expended in the state fiscal year for which they were allocated, as determined by the department, may be used to supplement the allocations under sections 22a and 51c in order to fully fund those calculated allocations for the same fiscal year.

(2) Subject to subsection (3) and section 296, the allocation to a district under this section shall be an amount equal to the sum of the amounts calculated under sections 20, 51a(2), 51a(3), and 51a(11), minus the sum of the allocations to the district under sections 22a and 51c.

(3) In order to receive an allocation under subsection (1), each district shall do all of the following:

(a) ~~Administer in each grade level that it operates in grades 1 to 5 a standardized assessment approved by the department of grade-appropriate basic educational skills. A district may use the Michigan literacy progress profile to satisfy this requirement for grades 1 to 3. Also, if the revised school code is amended to require annual assessments at additional grade levels, in order to receive an allocation under this section each district shall comply with that requirement.~~ **COMPLY WITH SECTION 1280B OF THE REVISED SCHOOL CODE, MCL 380.1280B.**

(b) Comply with sections 1278a and 1278b of the revised school code, MCL 380.1278a and 380.1278b.

(c) Furnish data and other information required by state and federal law to the center and the department in the form and manner specified by the center or the department, as applicable.

(d) Comply with section 1230g of the revised school code, MCL 380.1230g.

(E) COMPLY WITH SECTION 21F.

(4) Districts are encouraged to use funds allocated under this section for the purchase and support of payroll, human resources, and other business function software that is compatible with that of the intermediate district in which the district is located and with other districts located within that intermediate district.

(5) From the allocation in subsection (1), the department shall pay up to \$1,000,000.00 in litigation costs incurred by this state related to commercial or industrial property tax appeals, including, but not limited to, appeals of classification, that impact revenues dedicated to the state school aid fund.

(6) From the allocation in subsection (1), the department shall pay up to \$1,000,000.00 in litigation costs incurred by this state associated with lawsuits filed by 1 or more districts or intermediate districts against this state. If the allocation under this section is insufficient to fully fund all payments required under this section, the payments under this subsection shall be made in full before any proration of remaining payments under this section.

(7) It is the intent of the legislature that all constitutional obligations of this state have been fully funded under sections 22a, 31d, 51a, 51c, and 152a. If a claim is made by an entity receiving funds under this article that challenges the legislative determination of the adequacy of this funding or alleges that there exists an unfunded constitutional requirement, the state budget director may escrow or allocate from the discretionary funds for nonmandated payments under this section the amount as may be necessary to satisfy the claim before making any payments to districts under subsection (2). If funds are escrowed, the escrowed funds are a work project appropriation and the funds are carried forward into the following fiscal year. The purpose of the work project is to provide for any payments that may be awarded to districts as a result of litigation. The work project shall be completed upon resolution of the litigation.

(8) If the local claims review board or a court of competent jurisdiction makes a final determination that this state is in violation of section 29 of article IX of the state constitution of 1963 regarding state payments to districts, the state budget director shall use work project funds under subsection (7) or allocate from the discretionary funds for nonmandated payments under this section the amount as may be necessary to satisfy the amount owed to districts before making any payments to districts under subsection (2).

(9) If a claim is made in court that challenges the legislative determination of the adequacy of funding for this state's constitutional obligations or alleges that there exists an unfunded constitutional requirement, any interested party may seek an expedited review of the claim by the local claims review board. If the claim exceeds \$10,000,000.00, this state may remove the action to the court of appeals, and the court of appeals shall have and shall exercise jurisdiction over the claim.

(10) If payments resulting from a final determination by the local claims review board or a court of competent jurisdiction that there has been a violation of section 29 of article IX of the state constitution of 1963 exceed the amount allocated for discretionary nonmandated payments under this section, the legislature shall provide for adequate funding for this state's constitutional obligations at its next legislative session.

(11) If a lawsuit challenging payments made to districts related to costs reimbursed by federal title XIX medicaid funds is filed against this state, then, for the purpose of addressing potential liability under such a lawsuit, the state budget director may

place funds allocated under this section in escrow or allocate money from the funds otherwise allocated under this section, up to a maximum of 50% of the amount allocated in subsection (1). If funds are placed in escrow under this subsection, those funds are a work project appropriation and the funds are carried forward into the following fiscal year. The purpose of the work project is to provide for any payments that may be awarded to districts as a result of the litigation. The work project shall be completed upon resolution of the litigation. In addition, this state reserves the right to terminate future federal title XIX medicaid reimbursement payments to districts if the amount or allocation of reimbursed funds is challenged in the lawsuit. As used in this subsection, "title XIX" means title XIX of the social security act, 42 USC 1396 to 1396v.

~~(12) Not later than January 1, 2013, the department shall submit a report to the legislature identifying the amount of the savings that the department has calculated as having been achieved due to the revised number of instructional hours used to calculate full-time equated memberships for kindergarten pupils under section 6(4)(r) as amended by 2011 PA 62.~~

SEC. 22C. FROM THE APPROPRIATION IN SECTION 11, THERE IS ALLOCATED FOR 2013-2014 AN AMOUNT NOT TO EXCEED \$36,000,000.00 TO MAKE EQUITY PAYMENTS TO DISTRICTS THAT HAVE A FOUNDATION ALLOWANCE OR PER PUPIL PAYMENT AS CALCULATED UNDER SECTION 20 FOR 2013-2014 OF LESS THAN \$7,076.00. THE EQUITY PAYMENT FOR A DISTRICT SHALL BE AN AMOUNT PER MEMBERSHIP PUPIL EQUAL TO THE LESSER OF \$50.00 OR THE DIFFERENCE BETWEEN \$7,076.00 AND THE DISTRICT'S 2013-2014 FOUNDATION ALLOWANCE OR PER PUPIL PAYMENT AS CALCULATED UNDER SECTION 20.

Sec. 22d. (1) From the appropriation in section 11, an amount not to exceed ~~\$2,025,000.00~~ **\$2,584,600.00** is allocated each fiscal year for ~~2011-2012 and for 2012-2013~~ **FOR 2013-2014** for supplemental payments to rural districts under this section.

(2) From the allocation under subsection (1), there is allocated ~~each fiscal year for 2011-2012 and for 2012-2013~~ **FOR 2013-2014** an amount not to exceed ~~\$750,000.00~~ **\$957,300.00** for payments under this subsection to districts that meet all of the following:

- (a) Operates grades K to 12.
- (b) Has fewer than 250 pupils in membership.
- (c) Each school building operated by the district meets at least 1 of the following:
 - (i) Is located in the Upper Peninsula at least 30 miles from any other public school building.
 - (ii) Is located on an island that is not accessible by bridge.

(3) The amount of the additional funding to each eligible district under subsection (2) shall be determined under a spending plan developed as provided in this subsection and approved by the superintendent of public instruction. The spending plan shall be developed cooperatively by the intermediate superintendents of each intermediate district in which an eligible district is located. The intermediate superintendents shall review the financial situation of each eligible district, determine the minimum essential financial needs of each eligible district, and develop and agree on a spending plan that distributes the available funding under subsection (2) to the eligible districts based on those financial needs. The intermediate superintendents shall submit the spending plan to the superintendent of public instruction for approval. Upon approval by the superintendent of public instruction, the amounts specified for each eligible district under the spending plan are allocated under subsection (2) and shall be paid to the eligible districts in the same manner as payments under section 22b.

(4) Subject to subsection (6), from the allocation in subsection (1), there is allocated ~~each fiscal year for 2011-2012 and for 2012-2013~~ **FOR 2013-2014** an amount not to exceed ~~\$1,275,000.00~~ **\$1,627,300.00** for payments under this subsection to districts that meet all of the following:

- (a) The district has 5.0 or fewer pupils per square mile as determined by the department.
- (b) The district has a total square mileage greater than 200.0 or is 1 of 2 districts that have consolidated transportation services and have a combined total square mileage greater than 200.0.
- (5) The funds allocated under subsection (4) shall be allocated on an equal per pupil basis.
- (6) A district receiving funds allocated under subsection (2) is not eligible for funding allocated under subsection (4).

Sec. 22f. (1) From the appropriation in section 11, there is allocated ~~for 2012-2013~~ **2013-2014** an amount not to exceed \$80,000,000.00 to provide incentive payments to districts that meet best practices under this section. Payments received under this section may be used for any purpose for which payments under sections 22a and 22b may be used.

(2) The amount of the incentive payment under this section is an amount equal to \$52.00 per pupil. A district shall receive an incentive payment under this section if the district satisfies at least 7 of the following requirements not later than June 1, ~~2013~~ **2014**:

(a) If a district provides medical, pharmacy, dental, vision, disability, long-term care, or any other type of benefit that would constitute a health care services benefit, to employees and their dependents, the district is the policyholder for each of its insurance policies that covers 1 or more of these benefits. A district that does not directly employ its staff **OR A DISTRICT WITH A VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION THAT PAYS NO MORE THAN THE MAXIMUM PER EMPLOYEE CONTRIBUTION AMOUNT AND THAT CONTRIBUTES NO MORE THAN THE MAXIMUM EMPLOYER CONTRIBUTION PERCENTAGE OF TOTAL ANNUAL COSTS FOR THE MEDICAL BENEFIT PLANS AS DESCRIBED IN SECTIONS 3 AND 4 OF THE PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT, 2011 PA 152, MCL 15.563 AND 15.564,** is considered to have satisfied this requirement.

(b) The district has obtained competitive bids on the provision of pupil transportation, food service, custodial, or 1 or more other noninstructional services for ~~2012-2013~~ **2013-2014. IN COMPARING COMPETITIVE BIDS TO THE CURRENT**

COSTS OF PROVIDING 1 OR MORE OF THESE SERVICES, A DISTRICT SHALL EXCLUDE THE UNFUNDED ACCRUED LIABILITY COSTS FOR RETIREMENT AND OTHER BENEFITS FROM THE DISTRICT'S CURRENT COSTS.

(c) The district accepts applications for enrollment by nonresident applicants under section 105 or 105c. A public school academy is considered to have met this requirement.

(d) The district monitors individual pupil academic growth in each subject area at least twice during the school year using competency-based online assessments and reports those results to the pupil and his or her parent or guardian, or provides the department with a plan and is able to show progress toward developing the technology infrastructure necessary for the implementation of pupil academic growth assessments by 2014-2015.

(e) The district supports opportunities for pupils to receive postsecondary credit while attending secondary school, by doing at least 1 of the following, and makes all eligible pupils and their parents or guardians aware of these opportunities:

(i) Supports attendance of district pupils under the postsecondary enrollment options act, MCL 388.511 to 388.524, or under the career and technical preparation act, MCL 388.1901 to 388.1913, consistent with provisions under section 21b.

(ii) Offers college-level equivalent courses, as defined in section 1471 of the revised school code, MCL 380.1471.

(iii) Participates in a middle college. For the purposes of this subparagraph, "middle college" means a series of courses and other requirements and conditions that allow a pupil to graduate with a high school diploma and a certificate or degree from a community college or state public university.

(iv) Provides other opportunities to pupils that allow those pupils to graduate with a high school diploma and also complete coursework that a postsecondary institution normally applies toward satisfaction of degree requirements.

(v) If a district does not offer any high school grades, the district informs all pupils and parents of the opportunities that are available for postsecondary options during high school.

(f) The district offers online ~~instructional programs~~ **COURSES** or blended learning opportunities to all eligible pupils. In order to satisfy this requirement, ~~districts must~~ **A DISTRICT MUST** make all eligible pupils and their parents or guardians aware of these opportunities **AND MUST PUBLISH AN ONLINE COURSE SYLLABUS AS DESCRIBED IN SECTION 21F FOR EACH ONLINE COURSE THAT THE DISTRICT OFFERS.** For the purposes of this subdivision:

(i) "Blended learning" means a hybrid instructional delivery model where pupils are provided ~~face-to-face~~ **CONTENT, instruction, AND ASSESSMENT** in part at a supervised ~~school~~ **EDUCATIONAL** facility away from home **WHERE THE PUPIL AND A TEACHER WITH A VALID MICHIGAN TEACHING CERTIFICATE ARE IN THE SAME PHYSICAL LOCATION** and ~~partially~~ **IN PART** through computer-based and internet-connected learning environments with some degree of pupil control over time, location, and pace of instruction.

(ii) "Online instructional program" ~~"COURSE"~~ means a course of study that ~~generates~~ **IS CAPABLE OF GENERATING** a credit or a grade, **THAT IS** provided in an interactive ~~computer-based and internet-connected~~ learning environment, in which pupils are separated from their teachers by time or location, or both, and in which a ~~Michigan-certificated teacher~~ **WITH A VALID MICHIGAN TEACHING CERTIFICATE** is responsible for ~~providing direct instruction, DETERMINING APPROPRIATE INSTRUCTIONAL METHODS FOR EACH PUPIL,~~ diagnosing learning needs, assessing pupil learning, prescribing intervention strategies, reporting outcomes, and evaluating the effects of instruction and support strategies.

(g) The district provides to parents and community members a dashboard or report card demonstrating the district's efforts to manage its finances responsibly. The dashboard or report card shall include **REVENUE AND EXPENDITURE PROJECTIONS FOR THE DISTRICT FOR FISCAL YEAR 2013-2014 AND FISCAL YEAR 2014-2015, A LISTING OF ALL DEBT SERVICE OBLIGATIONS, DETAILED BY PROJECT, INCLUDING ANTICIPATED FISCAL YEAR 2013-2014 PAYMENT FOR EACH PROJECT, A LISTING OF TOTAL OUTSTANDING DEBT, AND** at least all of the following for the 3 most recent school years for which the data are available:

(i) Graduation and dropout rates.

(ii) Average class size in grades kindergarten to 3.

(iii) College readiness as measured by Michigan merit examination test scores.

(iv) Elementary and middle school MEAP scores.

(v) Teacher, principal, and superintendent salary information including at least minimum, average, and maximum pay levels.

(vi) General fund balance.

(vii) The total number of days of instruction provided.

(h) The district provides physical education ~~consistent with the state board's policy on quality physical education adopted September 25, 2003,~~ or provides health education. ~~consistent with the state board's policy on comprehensive school health education adopted June 8, 2004.~~

(3) If the department determines that a district has intentionally submitted false information in order to qualify for an incentive payment under this section, the district forfeits an amount equal to the amount it received under this section from its total state school aid for ~~2013-2014.~~ **2014-2015.**

(4) If the department determines that funds allocated under this section will remain unexpended after the initial allocation of \$52.00 per pupil to eligible districts under subsection (2), the remaining unexpended amount is allocated on an equal per pupil basis to districts that meet the requirements of subsection (2) and that have a foundation allowance, as calculated under section 20, in an amount that is less than the basic foundation allowance under that section.

Sec. 22g. (1) From the funds appropriated in section 11, there is allocated for ~~2012-2013~~ **2013-2014** only an amount not to exceed ~~\$10,000,000.00~~ **\$5,000,000.00** for competitive assistance grants to districts and intermediate districts. ~~Money allocated in this section represents a portion of the year-end state school aid fund balance for 2011-2012.~~

(2) Funds received under this section may be used for reimbursement of transition costs associated with ~~the consolidation of operations or services between 2 or more districts, intermediate districts, or other local units of government or the consolidation of districts or intermediate districts.~~ Grant funding shall be available for consolidations that occur on or after June 1, ~~2012-~~ **2013**. The department shall develop an application process and method of grant distribution. ~~However, a district or intermediate district is not eligible to receive funding under this section if the district or intermediate district receives a grant from the competitive grant assistance program in the department of treasury appropriations for 2012-2013 under section 951 of article VIII of Enrolled House Bill No. 5365 of the 96th Legislature.~~

Sec. 22i. (1) From the funds ~~STATE SCHOOL AID FUND MONEY~~ appropriated in section 11, there is allocated for ~~2012-2013~~ **2013-2014** an amount not to exceed ~~\$50,000,000.00~~ **\$45,000,000.00** for ~~THE~~ technology infrastructure grants to ~~GRANT PROGRAM FOR~~ districts or to intermediate districts on behalf of their constituent districts. Funds received under this section ~~SUBSECTION~~ shall be used for ~~access to a computer-adaptive test or for the development or improvement of a district's technology infrastructure, including, but not limited to, hardware and software,~~ **THE SHARED SERVICES CONSOLIDATION OF TECHNOLOGY AND DATA, AND HARDWARE** in preparation for the planned implementation in 2014-2015 of online growth assessments.

(2) The department shall develop a competitive application process and method of grant distribution **TO ELIGIBLE DISTRICTS AND INTERMEDIATE DISTRICTS THAT DEMONSTRATE NEED FOR GRANTS UNDER SUBSECTION (1).** The department may consult with the department of technology, management, and budget during the grant process and grant distribution. Grants to districts shall not exceed \$2,000,000.00 per district. A grant to an intermediate district on behalf of its constituent districts shall not exceed \$2,000,000.00 per constituent district. To receive a grant under ~~this section;~~ **SUBSECTION (1),** an intermediate district shall demonstrate that a grant awarded to the intermediate district on behalf of its constituent districts would provide savings compared to providing grants to individual districts.

(3) FROM THE GENERAL FUND MONEY APPROPRIATED IN SECTION 11, THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$5,000,000.00 FOR 2013-2014 TO BE AWARDED THROUGH A COMPETITIVE BID PROCESS TO A SINGLE PROVIDER OF WHOLE-SCHOOL TECHNOLOGY AS DESCRIBED IN THIS SUBSECTION. THE DEPARTMENT SHALL ISSUE A SINGLE REQUEST FOR PROPOSAL WITH APPLICATION RULES WRITTEN AND ADMINISTERED BY THE DEPARTMENT, AND WITH A FOCUS ON ECONOMIC AND GEOGRAPHIC DIVERSITY. TO BE ELIGIBLE TO RECEIVE THE GRANT UNDER THIS SECTION, A PROVIDER SHALL MEET ALL OF THE FOLLOWING:

(A) AGREES TO SUBMIT EVALUATION CRITERIA IN A FORM AND MANNER DETERMINED BY THE DEPARTMENT.

(B) PROVIDES AT LEAST ALL OF THE FOLLOWING:

- (i) ONE-TO-ONE MOBILE DEVICES.**
- (ii) LAPTOP OR DESKTOP COMPUTERS FOR EACH CLASSROOM.**
- (iii) ON- AND OFF-CAMPUS FILTERING.**
- (iv) WIRELESS NETWORKS AND PERIPHERALS.**
- (v) WIRELESS AUDIO EQUIPMENT.**
- (vi) OPERATING SOFTWARE.**
- (vii) INSTRUCTIONAL SOFTWARE.**
- (viii) REPAIRS AND REPLACEMENTS.**
- (ix) PROFESSIONAL DEVELOPMENT.**
- (x) ONGOING SUPPORT.**

Sec. 22j. (1) From the appropriation in section 11, there is allocated for ~~2012-2013~~ **2013-2014** an amount not to exceed ~~\$30,000,000.00~~ **\$46,400,000.00** to provide separate incentive payments to districts that meet student academic performance funding goals under subsections (2) to (5). Payments received under this section may be used for any purpose for which payments under sections 22a and 22b may be used.

(2) The maximum amount of the incentive payment for student academic performance is an amount equal to \$100.00 per pupil. Payments calculated and awarded to qualifying districts under subsections (3) to (5) shall be calculated and awarded separately, and a district may receive a payment under any or all of subsections (3) to (5).

(3) An amount not to exceed 30% of the maximum per pupil amount allocated under subsection (2) shall be used to make performance incentive payments to qualifying districts under this subsection based on pupil performance on state assessments in mathematics in grades 3 to 8. The amount of a payment under this subsection is an amount equal to \$30.00 per pupil for all pupils in membership in a qualifying district. The department shall determine the qualifying districts under this subsection as follows:

(a) Using a model determined by the department that incorporates the most recent cut scores adopted for the Michigan educational assessment program for each pupil in grades 3 to 8 in the ~~2010-2011~~ **2011-2012** school year, the department shall calculate a point score using a metric that assigns points to each of those pupils as follows:

(i) For each pupil who began the school year not performing proficiently in mathematics and who declines in proficiency, as determined by the department, over the school year, 0 points.

(ii) For each pupil who began the school year performing proficiently in mathematics and declines in proficiency, as determined by the department, over the school year, 0 points.

(iii) For each pupil who began the school year not performing proficiently in mathematics and who maintains his or her level of proficiency, as determined by the department, over the school year, 1 point.

(iv) For each pupil who began the school year performing proficiently in mathematics and who maintains his or her level of proficiency, as determined by the department, over the school year, 2 points.

(v) For each pupil who began the school year not performing proficiently in mathematics and who improves in proficiency, as determined by the department, over the school year, 3 points.

(vi) For each pupil who began the school year performing proficiently in mathematics and who improves in proficiency, as determined by the department, over the school year, 2 points.

(b) The department shall then calculate a district average for this metric for the ~~2010-2011~~ **2011-2012** school year by totaling the number of points for all pupils in grades 3 to 8 under subdivision (a) and dividing that total by the number of those pupils.

(c) A district is a qualifying district for the payment under this subsection if the district average for the ~~2010-2011~~ **2011-2012** school year under subdivision (b) is at least equal to a factor of 1.5, and the district tested at least 95% of its pupils in mathematics, and the district had at least 30 full academic year pupils in grades 3 to 8 with a performance level change designation in mathematics.

(4) An amount not to exceed 30% of the maximum per pupil amount allocated under subsection (2) shall be used to make performance incentive payments to qualifying districts under this subsection based on pupil performance on state assessments in reading in grades 3 to 8. The amount of a payment under this subsection is an amount equal to \$30.00 per pupil for all pupils in membership in the district. The department shall determine the qualifying districts under this subsection as follows:

(a) Using a model determined by the department that incorporates the most recent cut scores adopted for the Michigan educational assessment program for each pupil in grades 3 to 8 in the ~~2010-2011~~ **2011-2012** school year, the department shall calculate a point score using a metric that assigns points to each of those pupils as follows:

(i) For each pupil who began the school year not performing proficiently in reading and who declines in proficiency, as determined by the department, over the school year, 0 points.

(ii) For each pupil who began the school year performing proficiently in reading and declines in proficiency, as determined by the department, over the school year, 0 points.

(iii) For each pupil who began the school year not performing proficiently in reading and who maintains proficiency, as determined by the department, over the school year, 1 point.

(iv) For each pupil who began the school year performing proficiently in reading and who maintains proficiency, as determined by the department, over the school year, 2 points.

(v) For each pupil who began the school year not performing proficiently in reading and who improves in proficiency, as determined by the department, over the school year, 3 points.

(vi) For each pupil who began the school year performing proficiently in reading and who improves in proficiency, as determined by the department, over the school year, 2 points.

(b) The department shall then calculate a district average for this metric for the ~~2010-2011~~ **2011-2012** school year by totaling the number of points for all pupils in grades 3 to 8 under subdivision (a) and dividing that total by the number of those pupils.

(c) A district is a qualifying district for the payment under this subsection if the district average for the ~~2010-2011~~ **2011-2012** school year under subdivision (b) is at least equal to a factor of 1.5, and the district tested at least 95% of its pupils in reading, and the district had at least 30 full academic year pupils in grades 3 to 8 reading with a performance level change designation in reading.

(5) An amount not to exceed 40% of the maximum per pupil amount allocated under subsection (2) shall be used to make performance incentive payments to qualifying districts under this subsection for high school improvement using a metric based on the positive trend over a 4-year period in the percentage of high school pupils in the district testing as proficient in all tested subject areas on the state assessments of high school pupils. The amount of a payment under this subsection is an amount equal to \$40.00 per pupil for all pupils in membership in the district. The department shall determine the qualifying districts under this subsection as follows:

(a) Calculate a linear regression of the percentage of high school pupils in the district testing as proficient in all tested subject areas on state assessments of high school pupils on school year over the 4-year period ending with the ~~2010-2011~~ **2011-2012** school year as adjusted for changes in cut scores most recently adopted for the Michigan merit examination.

(b) Calculate a statewide average for all districts operating a high school of the linear regression of the percentage of high school pupils testing as proficient in all tested subject areas on state assessments of high school pupils on school year over the 4-year period ending with the ~~2010-2011~~ **2011-2012** school year, as adjusted for changes in cut scores most recently adopted for the Michigan merit examination as the base year for all comparisons.

(c) A district is a qualifying district for the payment under this subsection if the district's linear regression over the 4-year period ending with the ~~2010-2011~~ **2011-2012** school year under subdivision (a) is at least equal to the statewide average linear regression over the 4-year period ending with the base year under subdivision (b), and the district's linear regression over the 4-year period ending with the ~~2010-2011~~ **2011-2012** school year under subdivision (a) is positive, and the district tested 95% of high school pupils in each tested subject on the Michigan merit examination, **STATE ASSESSMENTS**, and the district had

at least 20 full academic year pupils take all tested subjects on the ~~Michigan merit examination~~ **STATE ASSESSMENTS OF HIGH SCHOOL PUPILS** over each of the most recent 4 years.

(6) If the allocation under subsection (1) is insufficient to fully fund payments as otherwise calculated under this section, the department shall prorate payments under this section on an equal percentage basis.

SEC. 22K. (1) FROM THE APPROPRIATION IN SECTION 11, THERE IS ALLOCATED FOR 2013-2014 AN AMOUNT NOT TO EXCEED \$8,000,000.00 FOR COMPETITIVE STUDENT-CENTRIC GRANTS TO ELIGIBLE DISTRICTS.

(2) IN ORDER TO BE ELIGIBLE TO RECEIVE GRANTS, A DISTRICT SHALL DEMONSTRATE TO THE SATISFACTION OF THE DEPARTMENT THAT THE DISTRICT DOES ALL OF THE FOLLOWING:

(A) PROVIDES A RIGOROUS CURRICULUM ALIGNED TO STATE, NATIONAL, AND INTERNATIONAL STANDARDS.

(B) ORGANIZES INSTRUCTIONAL DELIVERY IN SUCH A WAY THAT INDIVIDUAL PUPILS ADVANCE TO THE NEXT LEVEL OF LEARNING BASED ON THEIR INDIVIDUAL MASTERY OF EACH SUBJECT AREA.

(C) ALLOWS FOR SCHOOL SITE-BASED AUTONOMY IN DECISION MAKING.

(D) ENSURES THAT TEACHERS HAVE ACCESS TO ALL OF THE FOLLOWING:

(i) TIMELY AND MEANINGFUL PUPIL ACADEMIC ACHIEVEMENT DATA.

(ii) BEST INSTRUCTIONAL PRACTICES.

(iii) TIME TO COLLABORATE WITH OTHERS.

(iv) MENTORS.

(v) PROFESSIONAL DEVELOPMENT TIED TO PUPIL NEEDS AS DEMONSTRATED BY DATA.

(3) A DISTRICT SEEKING A GRANT UNDER THIS SECTION SHALL SUBMIT AN APPLICATION TO THE DEPARTMENT BY OCTOBER 1, 2013 IN A FORM AND MANNER PRESCRIBED BY THE DEPARTMENT. THE DEPARTMENT SHALL AWARD GRANTS ON A PER PUPIL BASIS TO ELIGIBLE RECIPIENTS NO LATER THAN DECEMBER 30, 2013.

Sec. 24. (1) From the appropriation in section 11, there is allocated for ~~2012-2013~~ **2013-2014** an amount not to exceed \$8,000,000.00 for payments to the educating district or intermediate district for educating pupils assigned by a court or the department of human services to reside in or to attend a juvenile detention facility or child caring institution licensed by the department of human services and approved by the department to provide an on-grounds education program. The amount of the payment under this section to a district or intermediate district shall be calculated as prescribed under subsection (2).

(2) The total amount allocated under this section shall be allocated by paying to the educating district or intermediate district an amount equal to the lesser of the district's or intermediate district's added cost or the department's approved per pupil allocation for the district or intermediate district. For the purposes of this subsection:

(a) "Added cost" means 100% of the added cost each fiscal year for educating all pupils assigned by a court or the department of human services to reside in or to attend a juvenile detention facility or child caring institution licensed by the department of human services or the department of licensing and regulatory affairs and approved by the department to provide an on-grounds education program. Added cost shall be computed by deducting all other revenue received under this ~~act~~ **ARTICLE** for pupils described in this section from total costs, as approved by the department, in whole or in part, for educating those pupils in the on-grounds education program or in a program approved by the department that is located on property adjacent to a juvenile detention facility or child caring institution. Costs reimbursed by federal funds are not included.

(b) "Department's approved per pupil allocation" for a district or intermediate district shall be determined by dividing the total amount allocated under this section for a fiscal year by the full-time equated membership total for all pupils approved by the department to be funded under this section for that fiscal year for the district or intermediate district.

(3) A district or intermediate district educating pupils described in this section at a residential child caring institution may operate, and receive funding under this section for, a department-approved on-grounds educational program for those pupils that is longer than 181 days, but not longer than 233 days, if the child caring institution was licensed as a child caring institution and offered in 1991-92 an on-grounds educational program that was longer than 181 days but not longer than 233 days and that was operated by a district or intermediate district.

(4) Special education pupils funded under section 53a shall not be funded under this section.

Sec. 24a. From the appropriation in section 11, there is allocated an amount not to exceed ~~\$2,135,800.00 for 2012-2013~~ **\$2,167,500.00 FOR 2013-2014** for payments to intermediate districts for pupils who are placed in juvenile justice service facilities operated by the department of human services. Each intermediate district shall receive an amount equal to the state share of those costs that are clearly and directly attributable to the educational programs for pupils placed in facilities described in this section that are located within the intermediate district's boundaries. The intermediate districts receiving payments under this section shall cooperate with the department of human services to ensure that all funding allocated under this section is utilized by the intermediate district and department of human services for educational programs for pupils described in this section. Pupils described in this section are not eligible to be funded under section 24. However, a program responsibility or other fiscal responsibility associated with these pupils shall not be transferred from the department of human services to a district or intermediate district unless the district or intermediate district consents to the transfer.

Sec. 24c. From the appropriation in section 11, there is allocated an amount not to exceed \$1,500,000.00 for ~~2012-2013~~ **2013-2014** for payments to districts for pupils who are enrolled in a nationally administered community-based education and youth mentoring program, known as the youth challenge program, that is located within the district and is administered by the department of military and veterans affairs. Both of the following apply to a district receiving payments under this section:

(a) The district shall contract with the department of military and veterans affairs to ensure that all funding allocated under this section is utilized by the district and the department of military and veterans affairs for the youth challenge program.

(b) The district may retain for its administrative expenses an amount not to exceed 3% of the amount of the payment the district receives under this section.

SEC. 25E. (1) THE CENTER SHALL WORK WITH THE DEPARTMENT, DISTRICTS, AND INTERMEDIATE DISTRICTS TO DEVELOP A PUPIL TRANSFER APPLICATION MODELED ON THE GRADUATION AND DROPOUT APPLICATION AND TO DEVELOP A PUPIL TRANSFER PROCESS UNDER THIS SECTION. THE CENTER SHALL COMPLETE DEVELOPMENT OF THIS PUPIL TRANSFER APPLICATION NOT LATER THAN NOVEMBER 1, 2013.

(2) IF A PUPIL TRANSFERS FROM A DISTRICT OR INTERMEDIATE DISTRICT TO ENROLL IN ANOTHER DISTRICT OR INTERMEDIATE DISTRICT AFTER THE PUPIL MEMBERSHIP COUNT DAY AND, DUE TO THE PUPIL'S ENROLLMENT AND ATTENDANCE STATUS AS OF THE PUPIL MEMBERSHIP COUNT DAY, THE PUPIL WAS NOT COUNTED IN MEMBERSHIP IN THE EDUCATING DISTRICT OR INTERMEDIATE DISTRICT, THE EDUCATING DISTRICT OR INTERMEDIATE DISTRICT MAY REPORT THE ENROLLMENT AND ATTENDANCE INFORMATION WITHIN 30 DAYS AFTER THE TRANSFER TO THE CENTER THROUGH THE PUPIL TRANSFER APPLICATION UNTIL THE SUPPLEMENTAL COUNT DAY. UPON RECEIPT OF THE TRANSFER INFORMATION UNDER THIS SUBSECTION INDICATING THAT A PUPIL HAS ENROLLED AND IS IN ATTENDANCE IN AN EDUCATING DISTRICT OR INTERMEDIATE DISTRICT AS DESCRIBED IN THIS SUBSECTION, THE PUPIL TRANSFER APPLICATION SHALL DO THE FOLLOWING:

(A) NOTIFY THE DISTRICT IN WHICH THE PUPIL WAS PREVIOUSLY ENROLLED. THE DISTRICT SHALL PROVIDE PUPIL EXIT DATES AND OTHER INFORMATION AS REQUIRED BY THE CENTER AND THE DEPARTMENT.

(B) NOTIFY BOTH THE PUPIL AUDITING STAFF OF THE INTERMEDIATE DISTRICT IN WHICH THE EDUCATING DISTRICT IS LOCATED AND THE PUPIL AUDITING STAFF OF THE INTERMEDIATE DISTRICT IN WHICH THE DISTRICT THAT PREVIOUSLY ENROLLED THE PUPIL IS LOCATED. THE PUPIL AUDITING STAFF SHALL EDIT, IF NECESSARY, AND APPROVE THE TRANSFER.

(C) AGGREGATE THE DISTRICTWIDE CHANGES AND NOTIFY THE DEPARTMENT FOR USE IN ADJUSTING THE STATE AID PAYMENT SYSTEM.

(3) THE DEPARTMENT SHALL DO ALL OF THE FOLLOWING:

(A) ADJUST THE MEMBERSHIP CALCULATION FOR EACH DISTRICT OR INTERMEDIATE DISTRICT IN WHICH THE PUPIL WAS PREVIOUSLY COUNTED IN MEMBERSHIP OR THAT PREVIOUSLY RECEIVED AN ADJUSTMENT IN ITS MEMBERSHIP CALCULATION UNDER THIS SECTION DUE TO THE PUPIL'S ENROLLMENT AND ATTENDANCE, IF ANY, SO THAT THE DISTRICT'S OR INTERMEDIATE DISTRICT'S MEMBERSHIP IS PRORATED TO ALLOW THE DISTRICT OR INTERMEDIATE DISTRICT TO RECEIVE FOR EACH SCHOOL DAY IN WHICH THE PUPIL WAS ENROLLED AND IN ATTENDANCE IN THE DISTRICT AN AMOUNT EQUAL TO 1/180 OF THE FOUNDATION ALLOWANCE OR PER PUPIL PAYMENT AS CALCULATED UNDER SECTION 20 FOR THE DISTRICT OR INTERMEDIATE DISTRICT. THE FOUNDATION ALLOWANCE OR PER PUPIL PAYMENT SHALL BE ADJUSTED BY THE PUPIL'S FULL-TIME EQUATED STATUS AS AFFECTED BY THE MEMBERSHIP DEFINITION UNDER SECTION 6(4).

(B) ADJUST THE MEMBERSHIP CALCULATION FOR THE EDUCATING DISTRICT OR INTERMEDIATE DISTRICT FOR EACH SCHOOL DAY IN WHICH THE PUPIL IS ENROLLED AND IS IN ATTENDANCE IN THE EDUCATING DISTRICT OR INTERMEDIATE DISTRICT SO THAT THE DISTRICT'S OR INTERMEDIATE DISTRICT'S MEMBERSHIP IS INCREASED TO ALLOW THE DISTRICT OR INTERMEDIATE DISTRICT TO RECEIVE, FOR EACH SCHOOL DAY BETWEEN THE DAY THE PUPIL ENROLLED IN THE EDUCATING DISTRICT AND THE SUPPLEMENTAL COUNT DAY, AN AMOUNT EQUAL TO 1/180 OF THE FOUNDATION ALLOWANCE OR PER PUPIL PAYMENT AS CALCULATED UNDER SECTION 20 FOR THE EDUCATING DISTRICT OR INTERMEDIATE DISTRICT. THE FOUNDATION ALLOWANCE OR PER PUPIL PAYMENT SHALL BE ADJUSTED BY THE PUPIL'S FULL-TIME EQUATED STATUS AS AFFECTED BY THE MEMBERSHIP DEFINITION UNDER SECTION 6(4).

(4) THE CHANGES IN CALCULATION OF STATE SCHOOL AID REQUIRED UNDER SUBSECTION (3) SHALL TAKE EFFECT AS OF THE DATE THAT THE PUPIL BECOMES ENROLLED AND IN ATTENDANCE IN THE EDUCATING DISTRICT OR INTERMEDIATE DISTRICT, AND THE DEPARTMENT SHALL BASE ALL SUBSEQUENT PAYMENTS UNDER THIS ARTICLE FOR THE FISCAL YEAR TO THE AFFECTED DISTRICTS OR INTERMEDIATE DISTRICTS ON THIS RECALCULATION OF STATE SCHOOL AID.

(5) IF A PUPIL ENROLLS IN AN EDUCATING DISTRICT OR INTERMEDIATE DISTRICT AS DESCRIBED IN SUBSECTION (2), THE DISTRICT OR INTERMEDIATE DISTRICT IN WHICH THE PUPIL IS COUNTED IN MEMBERSHIP OR ANOTHER EDUCATING DISTRICT OR INTERMEDIATE DISTRICT THAT RECEIVED AN ADJUSTMENT IN ITS MEMBERSHIP CALCULATION UNDER SUBSECTION (3), IF ANY, AND THE EDUCATING DISTRICT OR INTERMEDIATE DISTRICT SHALL PROVIDE TO THE CENTER AND THE DEPARTMENT ALL INFORMATION THEY REQUIRE TO COMPLY WITH THIS SECTION.

(6) AS USED IN THIS SECTION, "EDUCATING DISTRICT OR INTERMEDIATE DISTRICT" MEANS THE DISTRICT OR INTERMEDIATE DISTRICT IN WHICH A PUPIL ENROLLS AFTER THE PUPIL MEMBERSHIP COUNT DAY OR AFTER AN ADJUSTMENT WAS MADE IN ANOTHER DISTRICT'S OR INTERMEDIATE DISTRICT'S MEMBERSHIP CALCULATION UNDER THIS SECTION DUE TO THE PUPIL'S ENROLLMENT AND ATTENDANCE.

Sec. 26a. (1) From the state school aid fund appropriation in section 11, there is allocated ~~an amount not to exceed \$25,137,500.00 for 2011-2012 and an amount not to exceed \$26,300,000.00 for 2012-2013~~ **2013-2014** to reimburse districts and intermediate districts pursuant to section 12 of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2692, for taxes levied in ~~2012-2013~~. The allocations shall be made not later than 60 days after the department of treasury certifies to the department and to the state budget director that the department of treasury has received all necessary information to properly determine the amounts due to each eligible recipient.

(2) In addition to the allocation under subsection (1), from the general fund money appropriated under section 11, there is allocated an amount not to exceed ~~\$1,500,000.00 for 2012-2013~~ **\$3,200,000.00 FOR 2013-2014** to reimburse public libraries pursuant to section 12 of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2692, for taxes levied in 2012. The allocations shall be made not later than 60 days after the department of treasury certifies to the department and to the state budget director that the department of treasury has received all necessary information to properly determine the amounts due to each eligible recipient.

Sec. 26b. (1) From the appropriation in section 11, there is allocated for ~~2012-2013~~ **2013-2014** an amount not to exceed ~~\$3,328,000.00~~ **\$4,009,500.00** for payments to districts, intermediate districts, and community college districts for the portion of the payment in lieu of taxes obligation that is attributable to districts, intermediate districts, and community college districts pursuant to section 2154 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.2154.

(2) If the amount appropriated under this section is not sufficient to fully pay obligations under this section, payments shall be prorated on an equal basis among all eligible districts, intermediate districts, and community college districts.

Sec. 26c. (1) From the appropriation in section 11, there is allocated an amount not to exceed ~~\$276,800.00 for 2011-2012 and an amount not to exceed \$347,800.00~~ **\$209,400.00 for 2012-2013 AND AN AMOUNT NOT TO EXCEED \$266,200.00 FOR 2013-2014** to the promise zone fund created in subsection (3).

(2) Funds allocated to the promise zone fund under this section shall be used solely for payments to eligible districts and intermediate districts that have a promise zone development plan approved by the department of treasury under section 7 of the Michigan promise zone authority act, 2008 PA 549, MCL 390.1667.

(3) The promise zone fund is created as a separate account within the state school aid fund to be used solely for the purposes of the Michigan promise zone authority act, 2008 PA 549, MCL 390.1661 to 390.1679. All of the following apply to the promise zone fund:

(a) The state treasurer shall direct the investment of the promise zone fund. The state treasurer shall credit to the promise zone fund interest and earnings from fund investments.

(b) Money in the promise zone fund at the close of a fiscal year shall remain in the promise zone fund and shall not lapse to the general fund.

(4) Subject to subsection (2), the state treasurer may make payments from the promise zone fund to eligible districts and intermediate districts pursuant to the Michigan promise zone authority act, 2008 PA 549, MCL 390.1661 to 390.1679, to be used for the purposes of a promise zone authority created under that act.

Sec. 31a. (1) From the state school aid fund money appropriated in section 11, there is allocated for ~~2012-2013~~ **2013-2014** an amount not to exceed \$317,695,500.00 for payments to eligible districts, eligible public school academies, and the education achievement system under this section. Subject to subsection (14), the amount of the additional allowance under this section, other than funding under subsection (6) or (7), shall be based on the number of actual pupils in membership in the district or public school academy or the education achievement system who met the income eligibility criteria for free breakfast, lunch, or milk in the immediately preceding state fiscal year, as determined under the Richard B. Russell national school lunch act, 42 USC 1751 to 1769i, and reported to the department not later than the fifth Wednesday after the pupil membership count day of the immediately preceding fiscal year and adjusted not later than December 31 of the immediately preceding fiscal year in the form and manner prescribed by the center. However, for a public school academy that began operations as a public school academy, or for an achievement school that began operations as an achievement school, after the pupil membership count day of the immediately preceding school year, the basis for the additional allowance under this section shall be the number of actual pupils in membership in the public school academy or the education achievement system who met the income eligibility criteria for free breakfast, lunch, or milk in the current state fiscal year, as determined under the Richard B. Russell national school lunch act and reported to the department not later than the fifth Wednesday after the pupil membership count day.

(2) To be eligible to receive funding under this section, other than funding under subsection (6) or (7), a district or public school academy that has not been previously determined to be eligible or the education achievement system shall apply to the department, in a form and manner prescribed by the department, and a district or public school academy or the education achievement system must meet all of the following:

(a) The sum of the district's or public school academy's or the education achievement system's combined state and local revenue per membership pupil in the current state fiscal year, as calculated under section 20, is less than or equal to the basic foundation allowance under section 20 for the current state fiscal year.

(b) The district or public school academy or the education achievement system agrees to use the funding only for purposes allowed under this section and to comply with the program and accountability requirements under this section.

(3) Except as otherwise provided in this subsection, an eligible district or eligible public school academy or the education achievement system shall receive under this section for each membership pupil in the district or public school academy or the education achievement system who met the income eligibility criteria for free breakfast, lunch, or milk, as determined under the Richard B. Russell national school lunch act and as reported to the department not later than the fifth Wednesday after the pupil membership count day of the immediately preceding fiscal year and adjusted not later than December 31 of the immediately preceding fiscal year, an amount per pupil equal to 11.5% of the sum of the district's foundation allowance or the public school academy's or the education achievement system's per pupil amount calculated under section 20, not to exceed the basic foundation allowance under section 20 for the current state fiscal year, or of the public school academy's or the education achievement system's per membership pupil amount calculated under section 20 for the current state fiscal year. A public school academy that began operations as a public school academy, or an achievement school that began operations as an achievement school, after the pupil membership count day of the immediately preceding school year shall receive under this section for each membership pupil in the public school academy or in the education achievement system who met the income eligibility criteria for free breakfast, lunch, or milk, as determined under the Richard B. Russell national school lunch act and as reported to the department not later than the fifth Wednesday after the pupil membership count day of the current fiscal year and adjusted not later than December 31 of the current fiscal year, an amount per pupil equal to 11.5% of the public school academy's or the education achievement system's per membership pupil amount calculated under section 20 for the current state fiscal year.

(4) Except as otherwise provided in this section, a district or public school academy, or the education achievement system, receiving funding under this section shall use that money only to provide instructional programs and direct noninstructional services, including, but not limited to, medical or counseling services, for at-risk pupils; for school health clinics; and for the purposes of subsection (5), (6), or (7). In addition, a district that is a school district of the first class or a district or public school academy in which at least 50% of the pupils in membership met the income eligibility criteria for free breakfast, lunch, or milk in the immediately preceding state fiscal year, as determined and reported as described in subsection (1), or the education achievement system if it meets this requirement, may use not more than 20% of the funds it receives under this section for school security. A district, the public school academy, or the education achievement system shall not use any of that money for administrative costs or to supplant another program or other funds, except for funds allocated to the district or public school academy or the education achievement system under this section in the immediately preceding year and already being used by the district or public school academy or the education achievement system for at-risk pupils. The instruction or direct noninstructional services provided under this section may be conducted before or after regular school hours or by adding extra school days to the school year and may include, but are not limited to, tutorial services, early childhood programs to serve children age 0 to 5, and reading programs as described in former section 32f as in effect for 2001-2002. A tutorial method may be conducted with paraprofessionals working under the supervision of a certificated teacher. The ratio of pupils to paraprofessionals shall be between 10:1 and 15:1. Only 1 certificated teacher is required to supervise instruction using a tutorial method. As used in this subsection, "to supplant another program" means to take the place of a previously existing instructional program or direct noninstructional services funded from a funding source other than funding under this section.

(5) Except as otherwise provided in subsection (12), a district or public school academy that receives funds under this section and that operates a school breakfast program under section 1272a of the revised school code, MCL 380.1272a, or the education achievement system if it operates a school breakfast program, shall use from the funds received under this section an amount, not to exceed \$10.00 per pupil for whom the district or public school academy or the education achievement system receives funds under this section, necessary to pay for costs associated with the operation of the school breakfast program.

(6) From the funds allocated under subsection (1), there is allocated for ~~2012-2013~~ **2013-2014** an amount not to exceed \$3,557,300.00 to support child and adolescent health centers. These grants shall be awarded for 5 consecutive years beginning with 2003-2004 in a form and manner approved jointly by the department and the department of community health. Each grant recipient shall remain in compliance with the terms of the grant award or shall forfeit the grant award for the duration of the 5-year period after the noncompliance. To continue to receive funding for a child and adolescent health center under this section a grant recipient shall ensure that the child and adolescent health center has an advisory committee and that at least one-third of the members of the advisory committee are parents or legal guardians of school-aged children. A child and adolescent health center program shall recognize the role of a child's parents or legal guardian in the physical and emotional well-being of the child. Funding under this subsection shall be used to support child and adolescent health center services provided to children up to age 21. If any funds allocated under this subsection are not used for the purposes of this subsection for the fiscal year in which

they are allocated, those unused funds shall be used that fiscal year to avoid or minimize any proration that would otherwise be required under subsection (14) for that fiscal year.

(7) From the funds allocated under subsection (1), there is allocated for ~~2012-2013~~ **2013-2014** an amount not to exceed \$5,150,000.00 for the state portion of the hearing and vision screenings as described in section 9301 of the public health code, 1978 PA 368, MCL 333.9301. A local public health department shall pay at least 50% of the total cost of the screenings. The frequency of the screenings shall be as required under R 325.13091 to R 325.13096 and R 325.3271 to R 325.3276 of the Michigan administrative code. Funds shall be awarded in a form and manner approved jointly by the department and the department of community health. Notwithstanding section 17b, payments to eligible entities under this subsection shall be paid on a schedule determined by the department.

(8) Each district or public school academy receiving funds under this section and the education achievement system shall submit to the department by July 15 of each fiscal year a report, not to exceed 10 pages, on the usage by the district or public school academy or the education achievement system of funds under this section, which report shall include at least a brief description of each program conducted by the district or public school academy or the education achievement system using funds under this section, the amount of funds under this section allocated to each of those programs, the number of at-risk pupils eligible for free or reduced price school lunch who were served by each of those programs, and the total number of at-risk pupils served by each of those programs. If a district or public school academy or the education achievement system does not comply with this subsection, the department shall withhold an amount equal to the August payment due under this section until the district or public school academy or the education achievement system complies with this subsection. If the district or public school academy or the education achievement system does not comply with this subsection by the end of the state fiscal year, the withheld funds shall be forfeited to the school aid fund.

(9) In order to receive funds under this section, a district or public school academy or the education achievement system shall allow access for the department or the department's designee to audit all records related to the program for which it receives those funds. The district or public school academy or the education achievement system shall reimburse the state for all disallowances found in the audit.

(10) Subject to subsections (5), (6), (7), (12), and (13), ~~any~~ **A** district may use up to 100% of the funds it receives under this section to reduce the ratio of pupils to teachers in grades K-12, or any combination of those grades, in school buildings in which the percentage of pupils described in subsection (1) exceeds the district's aggregate percentage of those pupils. Subject to subsections (5), (6), (7), (12), and (13), ~~if a district obtains a waiver from the department, the~~ **A** district may use up to 100% of the funds it receives under this section to reduce the ratio of pupils to teachers in grades K-12, or any combination of those grades, in school buildings in which the percentage of pupils described in subsection (1) is at least 60% of the district's aggregate percentage of those pupils and at least 30% of the total number of pupils enrolled in the school building. ~~To obtain a waiver, a district must apply to the department and demonstrate to the satisfaction of the department that the class size reductions would be in the best interests of the district's at-risk pupils.~~

(11) A district or public school academy or the education achievement system may use funds received under this section for adult high school completion, general educational development (G.E.D.) test preparation, adult English as a second language, or adult basic education programs described in section 107.

(12) For an individual school or schools operated by a district or public school academy receiving funds under this section or the education achievement system that have been determined by the department to meet the adequate yearly progress standards of the no child left behind act of 2001, Public Law 107-110, in both mathematics and English language arts at all applicable grade levels for all applicable subgroups, the district or public school academy or the education achievement system may use not more than 20% of the funds it receives under this section for specific alternative purposes identified by the district or public school academy or the education achievement system that are designed to benefit at-risk pupils in the school, but that may be different from the purposes otherwise allowable under this section. If a district or public school academy or the education achievement system uses funds for alternative purposes allowed under the flexibility provisions under this subsection, the district or public school academy or the education achievement system shall maintain documentation of the amounts used for those alternative purposes and shall make that information available to the department upon request.

(13) A district or public school academy that receives funds under this section or the education achievement system may use funds it receives under this section to implement and operate an early intervening program for pupils in grades K to 3 that meets either or both of the following:

(a) Monitors individual pupil learning and provides specific support or learning strategies to pupils as early as possible in order to reduce the need for special education placement. The program shall include literacy and numeracy supports, sensory motor skill development, behavior supports, instructional consultation for teachers, and the development of a parent/school learning plan. Specific support or learning strategies may include support in or out of the general classroom in areas including reading, writing, math, visual memory, motor skill development, behavior, or language development. These would be provided based on an understanding of the individual child's learning needs.

(b) Provides early intervening strategies using school-wide systems of academic and behavioral supports and is scientifically research-based. The strategies to be provided shall include at least pupil performance indicators based upon response to intervention, instructional consultation for teachers, and ongoing progress monitoring. A school-wide system of academic and behavioral support should be based on a support team available to the classroom teachers. The members of this team

could include the principal, special education staff, reading teachers, and other appropriate personnel who would be available to systematically study the needs of the individual child and work with the teacher to match instruction to the needs of the individual child.

(14) If necessary, and before any proration required under section ~~11~~, **296**, the department shall prorate payments under this section by reducing the amount of the per pupil payment under this section by a dollar amount calculated by determining the amount by which the amount necessary to fully fund the requirements of this section exceeds the maximum amount allocated under this section and then dividing that amount by the total statewide number of pupils who met the income eligibility criteria for free breakfast, lunch, or milk in the immediately preceding fiscal year, as described in subsection (1).

(15) If a district is formed by consolidation after June 1, 1995, and if 1 or more of the original districts was not eligible before the consolidation for an additional allowance under this section, the amount of the additional allowance under this section for the consolidated district shall be based on the number of pupils described in subsection (1) enrolled in the consolidated district who reside in the territory of an original district that was eligible before the consolidation for an additional allowance under this section.

(16) As used in this section, "at-risk pupil" means a pupil for whom the district has documentation that the pupil meets at least 2 of the following criteria: is a victim of child abuse or neglect; is below grade level in English language ~~and communication skills~~ **ARTS** or mathematics; is a pregnant teenager or teenage parent; is eligible for a federal free or reduced-price lunch subsidy; has atypical behavior or attendance patterns; or has a family history of school failure, incarceration, or substance abuse. **AT-RISK PUPIL ALSO INCLUDES ALL PUPILS IN A PRIORITY SCHOOL AS DEFINED IN THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 2001 FLEXIBILITY REQUEST APPROVED BY THE UNITED STATES DEPARTMENT OF EDUCATION.** For pupils for whom the results of at least the applicable Michigan education assessment program (MEAP) test have been received, at-risk pupil also includes a pupil who does not meet the other criteria under this subsection but who did not achieve at least a score of level 2 on the most recent MEAP English language arts, mathematics, science test, or social studies for which results for the pupil have been received. For pupils for whom the results of the Michigan merit examination have been received, at-risk pupil also includes a pupil who does not meet the other criteria under this subsection but who did not achieve proficiency on the reading, ~~component~~ **WRITING, MATHEMATICS, SCIENCE, OR SOCIAL STUDIES COMPONENTS** of the most recent Michigan merit examination for which results for the pupil have been received. ~~; did not achieve proficiency on the mathematics component of the most recent Michigan merit examination for which results for the pupil have been received, or did not achieve basic competency on the science component of the most recent Michigan merit examination for which results for the pupil have been received.~~ For pupils in grades K-3, at-risk pupil also includes a pupil who is at risk of not meeting the district's core academic curricular objectives in English language arts or mathematics.

(17) A district or public school academy that receives funds under this section or the education achievement system may use funds received under this section to provide an anti-bullying or crisis intervention program.

Sec. 31d. (1) From the appropriations in section 11, there is allocated an amount not to exceed \$22,495,100.00 for ~~2012-2013~~ **2013-2014** for the purpose of making payments to districts and other eligible entities under this section.

(2) The amounts allocated from state sources under this section shall be used to pay the amount necessary to reimburse districts for 6.0127% of the necessary costs of the state mandated portion of the school lunch programs provided by those districts. The amount due to each district under this section shall be computed by the department using the methods of calculation adopted by the Michigan supreme court in the consolidated cases known as Durant v State of Michigan, Michigan supreme court docket no. 104458-104492.

(3) The payments made under this section include all state payments made to districts so that each district receives at least 6.0127% of the necessary costs of operating the state mandated portion of the school lunch program in a fiscal year.

(4) The payments made under this section to districts and other eligible entities that are not required under section 1272a of the revised school code, MCL 380.1272a, to provide a school lunch program shall be in an amount not to exceed \$10.00 per eligible pupil plus 5 cents for each free lunch and 2 cents for each reduced price lunch provided, as determined by the department.

(5) From the federal funds appropriated in section 11, there is allocated for ~~2012-2013~~ **2013-2014** all available federal funding, estimated at ~~\$400,000,000.00~~, **\$460,000,000.00** for the national school lunch program and all available federal funding, estimated at ~~\$2,506,000.00~~, **\$3,200,000.00** for the emergency food assistance program.

(6) Notwithstanding section 17b, payments to eligible entities other than districts under this section shall be paid on a schedule determined by the department.

(7) In purchasing food for a school lunch program funded under this section, preference shall be given to food that is grown or produced by Michigan businesses if it is competitively priced and of comparable quality.

Sec. 31f. (1) From the appropriations in section 11, there is allocated an amount not to exceed ~~\$9,625,000.00 for 2012-2013~~ **\$5,625,000.00 FOR 2013-2014** for the purpose of making payments to districts to reimburse for the cost of providing breakfast.

(2) The funds allocated under this section for school breakfast programs shall be made available to all eligible applicant districts that meet all of the following criteria:

(a) The district participates in the federal school breakfast program and meets all standards as prescribed by 7 CFR parts 220 and 245.

(b) Each breakfast eligible for payment meets the federal standards described in subdivision (a).

(3) The payment for a district under this section is at a per meal rate equal to the lesser of the district's actual cost or 100% of the statewide average cost of a breakfast served, as determined and approved by the department, less federal reimbursement, participant payments, and other state reimbursement. The statewide average cost shall be determined by the department using costs as reported in a manner approved by the department for the preceding school year.

(4) Notwithstanding section 17b, payments under this section may be made pursuant to an agreement with the department.

(5) In purchasing food for a school breakfast program funded under this section, preference shall be given to food that is grown or produced by Michigan businesses if it is competitively priced and of comparable quality.

Sec. 32d. (1) From the funds appropriated in section 11, there is allocated to eligible intermediate districts and consortia of intermediate districts for great start readiness programs an amount not to exceed \$109,275,000.00 for 2012-2013: **\$149,275,000.00 FOR 2013-2014. IN ADDITION, FROM THE FUNDS APPROPRIATED IN SECTION 11, THERE IS ALLOCATED TO THE GREAT START READINESS RESERVE FUND CREATED UNDER SUBSECTION (14) AN AMOUNT NOT TO EXCEED \$25,000,000.00 FOR 2013-2014.** Funds allocated under this section **FOR GREAT START READINESS PROGRAMS** shall be used to provide part-day, school-day, or GSRP/head start blended comprehensive free compensatory classroom programs designed to ~~do 1 or both of the following:~~

(a) ~~Improve~~ **IMPROVE** the readiness and subsequent achievement of educationally disadvantaged children as defined by the department who will be at least 4, but less than 5 years of age, as of December 1 of the school year in which the programs are offered, and who meet the participant eligibility and prioritization guidelines as defined by the state board: **DEPARTMENT. BEGINNING IN 2013-2014, FOR A CHILD TO BE ELIGIBLE TO PARTICIPATE IN A PROGRAM UNDER THIS SECTION, THE CHILD SHALL BE AT LEAST 4, BUT LESS THAN 5, YEARS OF AGE AS OF THE DATE SPECIFIED FOR DETERMINING A CHILD'S ELIGIBILITY TO ATTEND SCHOOL UNDER SECTION 1147 OF THE REVISED SCHOOL CODE, MCL 380.1147.**

(b) ~~Provide preschool and parenting education programs similar to those under former section 32b as in effect for 2001-2002. Beginning in 2007-2008, funds spent for programs described in this subdivision shall not exceed the amount spent under this subdivision for the immediately preceding fiscal year. Funds spent for programs described in this subdivision shall be used for services to families with income below 300% of the federal poverty level.~~

(2) Funds allocated under ~~this section~~ **SUBSECTION (1)** shall be allocated to intermediate districts or consortia of intermediate districts **BASED ON THE FORMULA IN SECTION 39.** An intermediate district or consortium of intermediate districts receiving funding under this section shall act as the fiduciary for the great start readiness programs. ~~For 2012-2013, the fiduciary intermediate districts and consortia of intermediate districts shall allocate the funding under this section as follows:~~

(a) ~~An amount not to exceed \$100,400,000.00 allocated to intermediate districts and consortia of intermediate districts as directed by the department based on the formula in section 39. In order to be eligible to receive funds allocated under this subdivision~~ **SUBSECTION** from an intermediate district or consortium of intermediate districts, a district, ~~or a consortium of districts,~~ **OR A PUBLIC OR PRIVATE FOR-PROFIT OR NONPROFIT LEGAL ENTITY OR AGENCY** shall comply with this section and section 39.

(b) ~~An amount not to exceed \$8,875,000.00 allocated in grants to competitive great start readiness programs as directed by the department based on the grant award process in section 32f. In order to be eligible to receive funds allocated under this section from an intermediate district or consortium of intermediate districts, a competitive great start readiness program shall comply with this section and section 32f.~~

(3) In addition to the allocation under subsection (1), from the general fund money appropriated under section 11, there is allocated an amount not to exceed \$300,000.00 for ~~2012-2013~~ **2013-2014** for a competitive grant to continue a longitudinal evaluation of children who have participated in great start readiness programs.

(4) To be eligible for funding under this section, a program shall prepare children for success in school through comprehensive part-day, school-day, or GSRP/head start blended programs that contain all of the following program components, as determined by the department:

(a) Participation in a collaborative recruitment and enrollment process ~~At a minimum, the process shall include all other funded preschool programs that may serve children in the same geographic area,~~ to assure that each child is enrolled in the program most appropriate to his or her needs and to maximize the use of federal, state, and local funds.

(b) An age-appropriate educational curriculum that is in compliance with the early childhood standards of quality for prekindergarten children adopted by the state board.

(c) Nutritional services for all program participants **SUPPORTED BY FEDERAL, STATE, AND LOCAL RESOURCES AS APPLICABLE.**

(d) Health and developmental screening services for all program participants.

(e) Referral services for families of program participants to community social service agencies, as appropriate.

(f) Active and continuous involvement of the parents or guardians of the program participants.

(g) A plan to conduct and report annual great start readiness program evaluations and continuous improvement plans using criteria approved by the department.

(h) Participation in a multidistrict, multiagency, school readiness advisory committee **CONVENED AS A WORKGROUP OF THE GREAT START COLLABORATIVE** that provides for the involvement of classroom teachers, parents or guardians

of program participants, and community, volunteer, and social service agencies and organizations, as appropriate. The advisory committee annually shall review the program components listed in this subsection and make recommendations for changes to the great start readiness program for which it is an advisory committee.

(i) The ongoing articulation of the kindergarten and first grade programs offered by the program provider.

(J) PARTICIPATION IN THIS STATE'S GREAT START TO QUALITY PROCESS WITH A RATING OF AT LEAST 3 STARS.

(5) An application for funding under this section shall provide for the following, in a form and manner determined by the department:

(a) Ensure compliance with all program components described in subsection (4).

(b) Ensure that ~~more than 75%~~ **AT LEAST 90%** of the children participating in an eligible great start readiness program **FOR WHOM THE PROVIDER IS RECEIVING FUNDS UNDER THIS SECTION** are children who live with families with a household income that is equal to or less than ~~300%~~ **250%** of the federal poverty level.

(c) Ensure that the applicant only uses qualified personnel for this program, as follows:

(i) Teachers possessing proper training. For programs managed directly by a district or intermediate district, a valid teaching certificate and an early childhood (ZA or ZS) endorsement are required. This provision does not apply to ~~a district, intermediate district, or competitive program that subcontracts with an eligible child development program.~~ In that situation, a teacher must have a valid Michigan teaching certificate with an early childhood (ZA or ZS) endorsement, a valid Michigan elementary teaching certificate with a child development associate credential, or a bachelor's degree in child development with specialization in preschool teaching. However, if an applicant demonstrates to the department that it is unable to fully comply with this subparagraph after making reasonable efforts to comply, teachers who have significant but incomplete training in early childhood education or child development may be used if the applicant provides to the department, and the department approves, a plan for each teacher to come into compliance with the standards in this subparagraph. A teacher's compliance plan must be completed within 2 years of the date of employment. Progress toward completion of the compliance plan shall consist of at least 2 courses per calendar year.

(ii) Paraprofessionals possessing proper training in early childhood development, including an associate's degree in early childhood education or child development or the equivalent, or a child development associate (CDA) credential. However, if an applicant demonstrates to the department that it is unable to fully comply with this subparagraph after making reasonable efforts to comply, the applicant may use paraprofessionals who have completed at least 1 course that earns college credit in early childhood education or child development if the applicant provides to the department, and the department approves, a plan for each paraprofessional to come into compliance with the standards in this subparagraph. A paraprofessional's compliance plan must be completed within 2 years of the date of employment. Progress toward completion of the compliance plan shall consist of at least 2 courses or 60 clock hours of training per calendar year.

(d) Include a program budget that contains only those costs that are not reimbursed or reimbursable by federal funding, that are clearly and directly attributable to the great start readiness program, and that would not be incurred if the program were not being offered. **ELIGIBLE COSTS INCLUDE TRANSPORTATION COSTS.** The program budget shall indicate the extent to which these funds will supplement other federal, state, local, or private funds. Funds received under this section shall not be used to supplant any federal funds **RECEIVED** by the applicant to serve children eligible for a federally funded ~~existing~~ preschool program that has the capacity to serve those children.

(6) For a grant recipient that enrolls pupils in a school-day program funded under this section, each child enrolled in the school-day program shall be counted as 2 children served by the program for purposes of determining the number of children to be served and for determining the amount of the grant award. A grant award shall not be increased solely on the basis of providing a school-day program.

(7) FOR A GRANT RECIPIENT THAT ENROLLS PUPILS IN A GSRP/HEAD START BLENDED PROGRAM, THE GRANT RECIPIENT SHALL ENSURE THAT ALL HEAD START AND GSRP POLICIES AND REGULATIONS ARE APPLIED TO THE BLENDED SLOTS, WITH ADHERENCE TO THE HIGHEST STANDARD FROM EITHER PROGRAM, TO THE EXTENT ALLOWABLE UNDER FEDERAL LAW.

(8) ~~(7)~~-An intermediate district or consortium of intermediate districts receiving a grant under this section may **PROVIDE SERVICES DIRECTLY OR MAY** contract with **1 OR MORE DISTRICTS OR PUBLIC OR PRIVATE** for-profit or nonprofit ~~preschool center providers~~ that meet all requirements of subsection (4) and retain for administrative services an amount equal to not more than ~~5%-7%~~ of the grant amount. ~~An~~ **IN ADDITION, AN** intermediate district ~~;~~ **OR** consortium of intermediate districts ~~;~~ ~~or competitive grant program~~ may expend not more than ~~10%-2%~~ of the total grant amount for ~~administration~~ **RECRUITING AND PUBLIC AWARENESS** of the program.

~~(8) Any public or private for-profit or nonprofit legal entity or agency may apply for a competitive grant under this section. However, a district or intermediate district may not apply for a competitive grant under this section unless the district, intermediate district, or consortium of districts or intermediate districts is acting as a local grantee for the federal head start program operating under the head start act, 42 USC 9831 to 9852.~~

(9) EACH GRANT RECIPIENT SHALL ENROLL CHILDREN IDENTIFIED UNDER SUBSECTION (5)(B) ACCORDING TO HOW FAR THE CHILD'S HOUSEHOLD INCOME IS BELOW 250% OF THE FEDERAL POVERTY LEVEL BY RANKING EACH APPLICANT CHILD'S HOUSEHOLD INCOME FROM LOWEST

TO HIGHEST AND DIVIDING THE APPLICANT CHILDREN INTO QUINTILES BASED ON HOW FAR THE CHILD'S HOUSEHOLD INCOME IS BELOW 250% OF THE FEDERAL POVERTY LEVEL, AND THEN ENROLLING CHILDREN IN THE QUINTILE WITH THE LOWEST HOUSEHOLD INCOME BEFORE ENROLLING CHILDREN IN THE QUINTILE WITH THE NEXT LOWEST HOUSEHOLD INCOME UNTIL SLOTS ARE COMPLETELY FILLED.

(10) AN INTERMEDIATE DISTRICT OR CONSORTIUM OF INTERMEDIATE DISTRICTS RECEIVING A GRANT UNDER THIS SECTION SHALL CONDUCT A LOCAL PROCESS TO CONTRACT WITH INTERESTED AND ELIGIBLE PUBLIC AND PRIVATE FOR-PROFIT AND NONPROFIT COMMUNITY-BASED PROVIDERS THAT MEET ALL REQUIREMENTS OF SUBSECTION (4) FOR AT LEAST 30% OF ITS TOTAL SLOT ALLOCATION. IF THE INTERMEDIATE DISTRICT OR CONSORTIUM IS NOT ABLE TO CONTRACT FOR AT LEAST 30% OF ITS TOTAL SLOT ALLOCATION, THE GRANT RECIPIENT SHALL NOTIFY THE DEPARTMENT AND, IF THE DEPARTMENT VERIFIES THAT THE INTERMEDIATE DISTRICT OR CONSORTIUM ATTEMPTED TO CONTRACT FOR AT LEAST 30% OF ITS TOTAL SLOT ALLOCATION AND WAS NOT ABLE TO DO SO, THEN THE INTERMEDIATE DISTRICT OR CONSORTIUM MAY RETAIN AND USE ALL OF ITS ALLOCATED SLOTS AS PROVIDED UNDER THIS SECTION.

(11) (9)-A recipient of funds under this section shall report to the department in a form and manner prescribed by the department the number of children participating in the program who meet the income ~~or other eligibility criteria prescribed by the department~~ **ELIGIBILITY CRITERIA UNDER SUBSECTION (5)(B)** and the total number of children participating in the program. For children participating in the program who meet the income ~~or other eligibility criteria specified under subsection (5)(b),~~ a recipient shall also report whether or not a parent is available to provide care based on employment status. For the purposes of this subsection, "employment status" shall be defined by the department of human services in a manner consistent with maximizing the amount of spending that may be claimed for temporary assistance for needy families maintenance of effort purposes.

(12) (10)-As used in this section:

(a) "GSRP/head start blended program" means a part-day program funded under this section and a head start program, which are combined for a school-day program.

(b) "Part-day program" means a program that operates at least 4 days per week, 30 weeks per year, for at least 3 hours of teacher-child contact time per day but for fewer hours of teacher-child contact time per day than a school-day program.

(c) "School-day program" means a program that operates for at least the same length of day as a district's first grade program for a minimum of 4 days per week, 30 weeks per year. A classroom that offers a school-day program must enroll all children for the school day to be considered a school-day program.

(13) (11)-A grant recipient ~~AN INTERMEDIATE DISTRICT OR CONSORTIUM OF INTERMEDIATE DISTRICTS~~ receiving funds under this section is ~~encouraged to~~ **SHALL** establish a sliding scale of tuition rates based upon ~~a child's family income for the purpose of expanding eligible programs under this section.~~ **HOUSEHOLD INCOME FOR CHILDREN PARTICIPATING IN AN ELIGIBLE GREAT START READINESS PROGRAM WHO LIVE WITH FAMILIES WITH A HOUSEHOLD INCOME THAT IS MORE THAN 250% OF THE FEDERAL POVERTY LEVEL TO BE USED BY ALL OF ITS PROVIDERS, AS APPROVED BY THE DEPARTMENT.** A grant recipient ~~may~~ **SHALL** charge tuition for programs provided under this section according to that sliding scale of tuition rates on a uniform basis for any child who does not meet the program ~~INCOME~~ eligibility requirements under this section.

(12)-The department shall develop a plan for a multiyear phased-in approach to transfer funding for great start readiness programs under this section into an early childhood block grant program, along with funding for great start collaboratives under section 32b and funding for great parents, great start programs under section 32j. The early childhood block grant program will allocate funds to intermediate districts and consortia of intermediate districts to act as fiduciaries and provide administration of regional early childhood programs in conjunction with their regional great start collaborative to improve program quality, evaluation, and efficiency for early childhood programs. The department shall work with intermediate districts, districts, great start collaboratives, and the early childhood investment corporation to establish a revised funding formula, application process, program criteria, and data reporting requirements.

(14) THE GREAT START READINESS RESERVE FUND IS CREATED AS A SEPARATE ACCOUNT WITHIN THE STATE SCHOOL AID FUND ESTABLISHED BY SECTION 11 OF ARTICLE IX OF THE STATE CONSTITUTION OF 1963. MONEY AVAILABLE IN THE GREAT START READINESS RESERVE FUND MAY NOT BE EXPENDED FOR 2013-2014 UNLESS TRANSFERRED BY THE LEGISLATURE NOT LATER THAN JANUARY 31, 2014 TO THE ALLOCATION UNDER SUBSECTION (1) FOR GREAT START READINESS PROGRAMS. MONEY IN THE GREAT START READINESS RESERVE FUND SHALL BE EXPENDED ONLY FOR PURPOSES FOR WHICH STATE SCHOOL AID FUND MONEY MAY BE EXPENDED. THE STATE TREASURER SHALL DIRECT THE INVESTMENT OF THE GREAT START READINESS RESERVE FUND. THE STATE TREASURER SHALL CREDIT TO THE GREAT START READINESS RESERVE FUND INTEREST AND EARNINGS FROM FUND INVESTMENTS. MONEY IN THE GREAT START READINESS RESERVE FUND AT THE CLOSE OF A FISCAL YEAR SHALL REMAIN IN THE GREAT START READINESS RESERVE FUND AND SHALL NOT LAPSE TO THE UNRESERVED SCHOOL AID FUND BALANCE OR THE GENERAL FUND.

Sec. 32p. (1) From the school aid fund appropriation in section 11, there is allocated an amount not to exceed \$10,900,000.00 **TO INTERMEDIATE DISTRICTS** for ~~2012-2013~~ **2013-2014** for the purpose of providing early childhood funding to intermediate school districts in block grants, **SUPPORTING THE ACTIVITIES UNDER SUBSECTION (2), AND PROVIDING EARLY CHILDHOOD PROGRAMS FOR CHILDREN FROM BIRTH THROUGH AGE 8.** The ~~BEGINNING IN 2013-2014, THE~~ funding provided to each intermediate district under this section shall be ~~equal to the sum of all funding allocated under former sections 32b and 32j, as those sections were in effect for 2011-2012.~~ **DETERMINED BY THE DISTRIBUTION FORMULA ESTABLISHED BY THE DEPARTMENT'S OFFICE OF GREAT START TO PROVIDE EQUITABLE FUNDING STATEWIDE.** In order to receive funding under this section, each intermediate district shall provide an application to the office of great start not later than ~~August 15, 2012,~~ **SEPTEMBER 15 OF THE IMMEDIATELY PRECEDING FISCAL YEAR** indicating the activities planned to be provided, ~~and children served under the block grant.~~

(2) Each intermediate district or consortium of intermediate districts that receives funding under this section shall convene a local great start collaborative and a parent coalition. ~~to address the availability of the following 6 components of a great start system in its communities: physical health, social-emotional health, family supports, basic needs, economic stability and safety, and parenting education and early education and care.~~ The goal of a local ~~EACH~~ great start collaborative is ~~AND PARENT COALITION SHALL BE~~ to ensure **THE COORDINATION AND EXPANSION OF LOCAL EARLY CHILDHOOD INFRASTRUCTURE AND PROGRAMS** that ~~ALLOW every child in the community is ready for kindergarten.~~ **TO ACHIEVE THE FOLLOWING OUTCOMES:**

(A) CHILDREN BORN HEALTHY.

(B) CHILDREN HEALTHY, THRIVING, AND DEVELOPMENTALLY ON TRACK FROM BIRTH TO THIRD GRADE.

(C) CHILDREN DEVELOPMENTALLY READY TO SUCCEED IN SCHOOL AT THE TIME OF SCHOOL ENTRY.

(D) CHILDREN PREPARED TO SUCCEED IN FOURTH GRADE AND BEYOND BY READING PROFICIENTLY BY THE END OF THIRD GRADE.

(3) Each local great start collaborative ~~AND PARENT COALITION SHALL CONVENE A WORKGROUP TO SERVE AS A SCHOOL READINESS ADVISORY COMMITTEE AS REQUIRED UNDER SECTION 32D AND~~ shall ensure the coordination and expansion of infrastructure or programming to support high-quality early childhood and childcare programs. ~~An intermediate district or consortium of intermediate districts may reconstitute its local great start collaborative if that collaborative is found to be ineffective.~~ **THAT ITS LOCAL GREAT START SYSTEM INCLUDES THE FOLLOWING SUPPORTS FOR CHILDREN FROM BIRTH THROUGH AGE 8:**

(A) PHYSICAL HEALTH.

(B) SOCIAL-EMOTIONAL HEALTH.

(C) FAMILY SUPPORTS AND BASIC NEEDS.

(D) PARENT EDUCATION AND CHILD ADVOCACY.

(E) EARLY EDUCATION AND CARE.

(4) ~~(3)~~ Not later than December 1, ~~2013,~~ **OF EACH YEAR**, each intermediate district shall provide a report to the department detailing the activities actually provided during ~~2012-2013~~ **THE IMMEDIATELY PRECEDING SCHOOL YEAR** and the **FAMILIES AND** children actually served. The department shall compile and summarize these reports and submit its summary to the house and senate appropriations subcommittees on school aid and to the house and senate fiscal agencies. The block grants allocated under this section implement legislative intent language for this purpose enacted in 2011 PA 62.

(5) ~~(4)~~ An intermediate district or consortium of intermediate districts that receives funding under this section may carry over any unexpended funds received under this section ~~for a fiscal year~~ into the next fiscal year and may expend those unused funds in the next fiscal year. A recipient of a grant shall return any unexpended grant funds to the department in the manner prescribed by the department not later than September 30 of the next fiscal year after the fiscal year in which the funds are received.

Sec. 39. (1) An eligible applicant receiving funds under section 32d shall submit a preapplication, in a form and manner prescribed by the department, by a date specified by the department in the immediately preceding state fiscal year. The preapplication shall include a comprehensive needs assessment using aggregated data from the applicant's entire service area and a community collaboration plan that is endorsed by the local great start collaborative and is part of the community's great start strategic plan that includes, but is not limited to, great start readiness program and head start providers, and shall identify all of the following:

(a) The estimated total number of children in the community who meet the criteria of section 32d and how that calculation was made.

(b) The estimated number of children in the community who meet the criteria of section 32d and are being served by other early childhood development programs operating in the community, and how that calculation was made.

(c) The number of children the applicant will be able to serve who meet the criteria of section 32d including a verification of physical facility and staff resources capacity.

(d) The estimated number of children who meet the criteria of section 32d who will remain unserved after the applicant and community early childhood programs have met their funded enrollments. The applicant shall maintain a waiting list of identified unserved eligible children who would be served when openings are available.

(2) An applicant receiving funds under section 32d shall also submit a final application for approval, in a form and manner prescribed by the department, by a date specified by the department, that details how the applicant complies with the program components established by the department pursuant to section 32d.

(3) The number of prekindergarten children construed to be in need of special readiness assistance under section 32d shall be calculated for each applicant in the following manner: 1/2 of the percentage of the applicant's pupils in grades 1 to 5 in all districts served by the applicant who are eligible for free lunch, as determined using the district's pupil membership count as of the pupil membership count day in the school year prior to the fiscal year for which the calculation is made, under the Richard B. Russell national school lunch act, 42 USC 1751 to 1769i, shall be multiplied by the average kindergarten enrollment of the districts served by the applicant on the pupil membership count day of the 2 immediately preceding fiscal years.

(4) The initial allocation for each fiscal year to each eligible applicant under section 32d shall be determined by multiplying the number of children determined by the formula under subsection (3) or the number of children the applicant indicates it will be able to serve under subsection (1)(c), whichever is less, by ~~\$3,400.00~~ **\$3,625.00** and shall be distributed among applicants in decreasing order of concentration of eligible children as determined by the formula under subsection (3). If the number of children an applicant indicates it will be able to serve under subsection (1)(c) includes children able to be served in a school-day program, then the number able to be served in a school-day program shall be doubled for the purposes of making this calculation of the lesser of the number of children determined by the formula under subsection (3) and the number of children the applicant indicates it will be able to serve under subsection (1)(c) and determining the amount of the initial allocation to the applicant under section 32d. A district may contract with a head start agency to serve children enrolled in head start with a school-day program by blending head start funds with a part-day great start readiness program allocation. All head start and great start readiness program policies and regulations apply to the blended program.

(5) If funds allocated for eligible applicants ~~in~~ **OR TO THE GREAT START READINESS RESERVE FUND UNDER** section 32d remain after the initial allocation under subsection (4), the allocation under this subsection shall be distributed to each eligible applicant under section 32d in decreasing order of concentration of eligible children as determined by the formula under subsection (3). The allocation shall be determined by multiplying the number of children each district within the applicant's service area served in the immediately preceding fiscal year or the number of children the applicant indicates it will be able to serve under subsection (1)(c), whichever is less, minus the number of children for which the applicant received funding in subsection (4) by ~~\$3,400.00~~ **\$3,625.00**.

(6) If funds allocated for eligible applicants ~~in~~ **OR TO THE GREAT START READINESS RESERVE FUND UNDER** section 32d remain after the allocations under subsections (4) and (5), remaining funds shall be distributed to each eligible applicant under section 32d in decreasing order of concentration of eligible children as determined by the formula under subsection (3). If the number of children the applicant indicates it will be able to serve under subsection (1)(c) exceeds the number of children for which funds have been received under subsections (4) and (5), the allocation under this subsection shall be determined by multiplying the number of children the applicant indicates it will be able to serve under subsection (1)(c) less the number of children for which funds have been received under subsections (4) and (5) by ~~\$3,400.00~~ **\$3,625.00** until the funds allocated for eligible applicants in section 32d are distributed.

(7) An applicant that offers supplementary child care funded by funds other than those received under section 32d and therefore offers full-day programs as part of its early childhood development program shall receive priority in the allocation of funds under section 32d over other eligible applicants. As used in this subsection, "full-day program" means a program that provides supplementary child care that totals at least 10 hours of programming per day.

(8) If, taking into account the total amount to be allocated to the applicant as calculated under this section, an applicant determines that it is able to include additional eligible children in the great start readiness program without additional funds under section 32d, the applicant may include additional eligible children but shall not receive additional funding under section 32d for those children.

Sec. 39a. (1) From the federal funds appropriated in section 11, there is allocated for ~~2012-2013~~ **2013-2014** to districts, intermediate districts, and other eligible entities all available federal funding, estimated at ~~\$812,328,500.00~~ **\$811,828,500.00**, for the federal programs under the no child left behind act of 2001, Public Law 107-110. These funds are allocated as follows:

(a) An amount estimated at \$10,808,600.00 to provide students with drug- and violence-prevention programs and to implement strategies to improve school safety, funded from DED-OESE, drug-free schools and communities funds.

~~(b) An amount estimated at \$250,000.00 for the purpose of improving teaching and learning through a more effective use of technology, funded from DED-OESE, educational technology state grant funds.~~

~~(B) (c)~~ An amount estimated at \$111,111,900.00 for the purpose of preparing, training, and recruiting high-quality teachers and class size reduction, funded from DED-OESE, improving teacher quality funds.

~~(C) (d)~~ An amount estimated at \$12,200,000.00 for programs to teach English to limited English proficient (LEP) children, funded from DED-OESE, language acquisition state grant funds.

~~(D) (e)~~ An amount estimated at \$10,286,500.00 for the Michigan charter school subgrant program, funded from DED-OESE, charter school funds.

~~(E) (f)~~ An amount estimated at \$2,393,500.00 for rural and low income schools, funded from DED-OESE, rural and low income school funds.

(F) ~~(g)~~—An amount estimated at \$591,500,000.00 to provide supplemental programs to enable educationally disadvantaged children to meet challenging academic standards, funded from DED-OESE, title I, disadvantaged children funds.

~~(h) An amount estimated at \$250,000.00 for the purpose of providing unified family literacy programs, funded from DED-OESE, title I, even start funds.~~

(G) ~~(i)~~—An amount estimated at \$8,878,000.00 for the purpose of identifying and serving migrant children, funded from DED-OESE, title I, migrant education funds.

(H) ~~(j)~~—An amount estimated at \$40,050,000.00 for the purpose of providing high-quality extended learning opportunities, after school and during the summer, for children in low-performing schools, funded from DED-OESE, twenty-first century community learning center funds.

(I) ~~(k)~~—An amount estimated at \$24,600,000.00 to help support local school improvement efforts, funded from DED-OESE, title I, local school improvement grants.

(2) From the federal funds appropriated in section 11, there is allocated for ~~2012-2013~~ **2013-2014** to districts, intermediate districts, and other eligible entities all available federal funding, estimated at ~~\$33,514,100.00~~ **\$31,700,000.00** for the following programs that are funded by federal grants:

(a) An amount estimated at \$600,000.00 for acquired immunodeficiency syndrome education grants, funded from HHS – center for disease control, AIDS funding.

(b) An amount estimated at ~~\$1,814,100.00~~ **\$2,600,000.00** to provide services to homeless children and youth, funded from DED-OVAE, homeless children and youth funds.

~~(c) An amount estimated at \$2,600,000.00 for serve America grants, funded from the corporation for national and community service funds.~~

(C) ~~(d)~~—An amount estimated at \$28,500,000.00 for providing career and technical education services to pupils, funded from DED-OVAE, basic grants to states.

(3) To the extent allowed under federal law, the funds allocated under subsection ~~(1)(g), (h), and (k)~~ **(1)(F) AND (I)** may be used for 1 or more reading improvement programs that meet at least 1 of the following:

(a) A research-based, validated, structured reading program that aligns learning resources to state standards and includes continuous assessment of pupils and individualized education plans for pupils.

(b) A mentoring program that is a research-based, validated program or a statewide 1-to-1 mentoring program and is designed to enhance the independence and life quality of pupils who are mentally impaired by providing opportunities for mentoring and integrated employment.

(c) A cognitive development program that is a research-based, validated educational service program focused on assessing and building essential cognitive and perceptual learning abilities to strengthen pupil concentration and learning.

(d) A structured mentoring-tutorial reading program for pupils in preschool to grade 4 that is a research-based, validated program that develops individualized educational plans based on each pupil's age, assessed needs, reading level, interests, and learning style.

(4) All federal funds allocated under this section shall be distributed in accordance with federal law and with flexibility provisions outlined in Public Law 107-116, and in the education flexibility partnership act of 1999, Public Law 106-25. Notwithstanding section 17b, payments of federal funds to districts, intermediate districts, and other eligible entities under this section shall be paid on a schedule determined by the department.

(5) For the purposes of applying for federal grants appropriated under this article, the department shall allow an intermediate district to submit a consortium application on behalf of 2 or more districts with the agreement of those districts as appropriate according to federal rules and guidelines.

(6) As used in this section:

(a) “DED” means the United States department of education.

(b) “DED-OESE” means the DED office of elementary and secondary education.

(c) “DED-OVAE” means the DED office of vocational and adult education.

(d) “HHS” means the United States department of health and human services.

(e) “HHS-ACF” means the HHS administration for children and families.

SEC. 41. (1) FROM THE APPROPRIATION IN SECTION 11, THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$1,200,000.00 FOR 2013-2014 TO APPLICANT DISTRICTS AND INTERMEDIATE DISTRICTS OFFERING PROGRAMS OF INSTRUCTION FOR PUPILS OF LIMITED ENGLISH-SPEAKING ABILITY UNDER SECTION 1153 OF THE REVISED SCHOOL CODE, MCL 380.1153. SUBJECT TO SUBSECTION (2), REIMBURSEMENT SHALL BE ON A PER-PUPIL BASIS AND SHALL BE BASED ON THE NUMBER OF PUPILS OF LIMITED ENGLISH-SPEAKING ABILITY IN MEMBERSHIP ON THE PUPIL MEMBERSHIP COUNT DAY. FUNDS ALLOCATED UNDER THIS SECTION SHALL BE USED SOLELY FOR INSTRUCTION IN SPEAKING, READING, WRITING, OR COMPREHENSION OF ENGLISH. A PUPIL SHALL NOT BE COUNTED UNDER THIS SECTION OR INSTRUCTED IN A PROGRAM UNDER THIS SECTION FOR MORE THAN 3 YEARS.

(2) A DISTRICT OR INTERMEDIATE DISTRICT SHALL NOT RECEIVE FUNDS UNDER THIS SECTION IF IT ALLOWS PUPILS TO PARTICIPATE IN THE PROGRAM OF INSTRUCTION WHO ARE NOT RESIDING IN THE UNITED STATES LEGALLY.

Sec. 51a. (1) From the appropriation in section 11, there is allocated for ~~2011-2012 an amount not to exceed \$956,769,100.00 and there is allocated an amount not to exceed \$996,269,100.00~~ **\$952,569,100.00** for 2012-2013 **AND THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$980,446,100.00 FOR 2013-2014** from state sources and all available federal funding under sections 611 to 619 of part B of the individuals with disabilities education act, 20 USC 1411 to 1419, estimated at ~~\$363,400,000.00 for 2011-2012 and estimated at \$365,000,000.00 for 2012-2013,~~ **AND ESTIMATED AT \$370,000,000.00 FOR 2013-2014**, plus any carryover federal funds from previous year appropriations. The allocations under this subsection are for the purpose of reimbursing districts and intermediate districts for special education programs, services, and special education personnel as prescribed in article 3 of the revised school code, MCL 380.1701 to 380.1766; net tuition payments made by intermediate districts to the Michigan schools for the deaf and blind; and special education programs and services for pupils who are eligible for special education programs and services according to statute or rule. For meeting the costs of special education programs and services not reimbursed under this article, a district or intermediate district may use money in general funds or special education funds, not otherwise restricted, or contributions from districts to intermediate districts, tuition payments, gifts and contributions from individuals or other entities, or federal funds that may be available for this purpose, as determined by the intermediate district plan prepared pursuant to article 3 of the revised school code, MCL 380.1701 to 380.1766. All federal funds allocated under this section in excess of those allocated under this section for 2002-2003 may be distributed in accordance with the flexible funding provisions of the individuals with disabilities education act, Public Law 108-446, including, but not limited to, 34 CFR 300.206 and 300.208. Notwithstanding section 17b, payments of federal funds to districts, intermediate districts, and other eligible entities under this section shall be paid on a schedule determined by the department.

(2) From the funds allocated under subsection (1), there is allocated the amount necessary, estimated at ~~\$247,500,000.00 for 2011-2012 and estimated at \$257,400,000.00~~ **\$251,000,000.00** for 2012-2013, **AND ESTIMATED AT \$257,800,000.00 FOR 2013-2014**, for payments toward reimbursing districts and intermediate districts for 28.6138% of total approved costs of special education, excluding costs reimbursed under section 53a, and 70.4165% of total approved costs of special education transportation. Allocations under this subsection shall be made as follows:

(a) The initial amount allocated to a district under this subsection toward fulfilling the specified percentages shall be calculated by multiplying the district's special education pupil membership, excluding pupils described in subsection (11), times the foundation allowance under section 20 of the pupil's district of residence, not to exceed the basic foundation allowance under section 20 for the current fiscal year, or, for a special education pupil in membership in a district that is a public school academy, times an amount equal to the amount per membership pupil calculated under section 20(6) or, for a pupil described in this subsection who is counted in membership in the education achievement system, times an amount equal to the amount per membership pupil under section 20(7). For an intermediate district, the amount allocated under this subdivision toward fulfilling the specified percentages shall be an amount per special education membership pupil, excluding pupils described in subsection (11), and shall be calculated in the same manner as for a district, using the foundation allowance under section 20 of the pupil's district of residence, not to exceed the basic foundation allowance under section 20 for the current fiscal year.

(b) After the allocations under subdivision (a), districts and intermediate districts for which the payments calculated under subdivision (a) do not fulfill the specified percentages shall be paid the amount necessary to achieve the specified percentages for the district or intermediate district.

(3) From the funds allocated under subsection (1), there is allocated each fiscal year ~~for 2011-2012 and for 2012-2013~~ **AND FOR 2013-2014** an amount not to exceed \$1,000,000.00 to make payments to districts and intermediate districts under this subsection. If the amount allocated to a district or intermediate district for a fiscal year under subsection (2)(b) is less than the sum of the amounts allocated to the district or intermediate district for 1996-97 under sections 52 and 58, there is allocated to the district or intermediate district for the fiscal year an amount equal to that difference, adjusted by applying the same proration factor that was used in the distribution of funds under section 52 in 1996-97 as adjusted to the district's or intermediate district's necessary costs of special education used in calculations for the fiscal year. This adjustment is to reflect reductions in special education program operations or services between 1996-97 and subsequent fiscal years. Adjustments for reductions in special education program operations or services shall be made in a manner determined by the department and shall include adjustments for program or service shifts.

(4) If the department determines that the sum of the amounts allocated for a fiscal year to a district or intermediate district under subsection (2)(a) and (b) is not sufficient to fulfill the specified percentages in subsection (2), then the shortfall shall be paid to the district or intermediate district during the fiscal year beginning on the October 1 following the determination and payments under subsection (3) shall be adjusted as necessary. If the department determines that the sum of the amounts allocated for a fiscal year to a district or intermediate district under subsection (2)(a) and (b) exceeds the sum of the amount necessary to fulfill the specified percentages in subsection (2), then the department shall deduct the amount of the excess from the district's or intermediate district's payments under this article for the fiscal year beginning on the October 1 following the determination and payments under subsection (3) shall be adjusted as necessary. However, if the amount allocated under subsection (2)(a) in itself exceeds the amount necessary to fulfill the specified percentages in subsection (2), there shall be no deduction under this subsection.

(5) State funds shall be allocated on a total approved cost basis. Federal funds shall be allocated under applicable federal requirements, except that an amount not to exceed \$3,500,000.00 may be allocated by the department each fiscal year for

~~2011-2012 and for 2012-2013~~ **AND FOR 2013-2014** to districts, intermediate districts, or other eligible entities on a competitive grant basis for programs, equipment, and services that the department determines to be designed to benefit or improve special education on a statewide scale.

(6) From the amount allocated in subsection (1), there is allocated an amount not to exceed \$2,200,000.00 each fiscal year ~~for 2011-2012 and for 2012-2013~~ **AND FOR 2013-2014** to reimburse 100% of the net increase in necessary costs incurred by a district or intermediate district in implementing the revisions in the administrative rules for special education that became effective on July 1, 1987. As used in this subsection, "net increase in necessary costs" means the necessary additional costs incurred solely because of new or revised requirements in the administrative rules minus cost savings permitted in implementing the revised rules. Net increase in necessary costs shall be determined in a manner specified by the department.

(7) For purposes of sections 51a to 58, all of the following apply:

(a) "Total approved costs of special education" shall be determined in a manner specified by the department and may include indirect costs, but shall not exceed 115% of approved direct costs for section 52 and section 53a programs. The total approved costs include salary and other compensation for all approved special education personnel for the program, including payments for social security and medicare and public school employee retirement system contributions. The total approved costs do not include salaries or other compensation paid to administrative personnel who are not special education personnel as defined in section 6 of the revised school code, MCL 380.6. Costs reimbursed by federal funds, other than those federal funds included in the allocation made under this article, are not included. Special education approved personnel not utilized full time in the evaluation of students or in the delivery of special education programs, ancillary, and other related services shall be reimbursed under this section only for that portion of time actually spent providing these programs and services, with the exception of special education programs and services provided to youth placed in child caring institutions or juvenile detention programs approved by the department to provide an on-grounds education program.

(b) Beginning with the 2004-2005 fiscal year, a district or intermediate district that employed special education support services staff to provide special education support services in 2003-2004 or in a subsequent fiscal year and that in a fiscal year after 2003-2004 receives the same type of support services from another district or intermediate district shall report the cost of those support services for special education reimbursement purposes under this article. This subdivision does not prohibit the transfer of special education classroom teachers and special education classroom aides if the pupils counted in membership associated with those special education classroom teachers and special education classroom aides are transferred and counted in membership in the other district or intermediate district in conjunction with the transfer of those teachers and aides.

(c) If the department determines before bookclosing for a fiscal year that the amounts allocated for that fiscal year under subsections (2), (3), (6), and (11) and sections 53a, 54, and 56 will exceed expenditures for that fiscal year under subsections (2), (3), (6), and (11) and sections 53a, 54, and 56, then for a district or intermediate district whose reimbursement for that fiscal year would otherwise be affected by subdivision (b), subdivision (b) does not apply to the calculation of the reimbursement for that district or intermediate district and reimbursement for that district or intermediate district shall be calculated in the same manner as it was for 2003-2004. If the amount of the excess allocations under subsections (2), (3), (6), and (11) and sections 53a, 54, and 56 is not sufficient to fully fund the calculation of reimbursement to those districts and intermediate districts under this subdivision, then the calculations and resulting reimbursement under this subdivision shall be prorated on an equal percentage basis. This reimbursement shall not be made after 2014-2015.

(d) Reimbursement for ancillary and other related services, as defined by R 340.1701c of the Michigan administrative code, shall not be provided when those services are covered by and available through private group health insurance carriers or federal reimbursed program sources unless the department and district or intermediate district agree otherwise and that agreement is approved by the state budget director. Expenses, other than the incidental expense of filing, shall not be borne by the parent. In addition, the filing of claims shall not delay the education of a pupil. A district or intermediate district shall be responsible for payment of a deductible amount and for an advance payment required until the time a claim is paid.

(e) Beginning with calculations for 2004-2005, if an intermediate district purchases a special education pupil transportation service from a constituent district that was previously purchased from a private entity; if the purchase from the constituent district is at a lower cost, adjusted for changes in fuel costs; and if the cost shift from the intermediate district to the constituent does not result in any net change in the revenue the constituent district receives from payments under sections 22b and 51c, then upon application by the intermediate district, the department shall direct the intermediate district to continue to report the cost associated with the specific identified special education pupil transportation service and shall adjust the costs reported by the constituent district to remove the cost associated with that specific service.

(8) A pupil who is enrolled in a full-time special education program conducted or administered by an intermediate district or a pupil who is enrolled in the Michigan schools for the deaf and blind shall not be included in the membership count of a district, but shall be counted in membership in the intermediate district of residence.

(9) Special education personnel transferred from 1 district to another to implement the revised school code shall be entitled to the rights, benefits, and tenure to which the person would otherwise be entitled had that person been employed by the receiving district originally.

(10) If a district or intermediate district uses money received under this section for a purpose other than the purpose or purposes for which the money is allocated, the department may require the district or intermediate district to refund the amount of money received. Money that is refunded shall be deposited in the state treasury to the credit of the state school aid fund.

(11) From the funds allocated in subsection (1), there is allocated the amount necessary, estimated at ~~\$5,300,000.00 for 2011-2012 and estimated at \$5,600,000.00~~ **\$4,300,000.00** for 2012-2013, **AND ESTIMATED AT \$4,300,000.00 FOR 2013-2014**, to pay the foundation allowances for pupils described in this subsection. The allocation to a district under this subsection shall be calculated by multiplying the number of pupils described in this subsection who are counted in membership in the district times the foundation allowance under section 20 of the pupil's district of residence, not to exceed the basic foundation allowance under section 20 for the current fiscal year, or, for a pupil described in this subsection who is counted in membership in a district that is a public school academy, times an amount equal to the amount per membership pupil under section 20(6) or, for a pupil described in this subsection who is counted in membership in the education achievement system, times an amount equal to the amount per membership pupil under section 20(7). The allocation to an intermediate district under this subsection shall be calculated in the same manner as for a district, using the foundation allowance under section 20 of the pupil's district of residence, not to exceed the basic foundation allowance under section 20 for the current fiscal year. This subsection applies to all of the following pupils:

- (a) Pupils described in section 53a.
- (b) Pupils counted in membership in an intermediate district who are not special education pupils and are served by the intermediate district in a juvenile detention or child caring facility.
- (c) Pupils with an emotional impairment counted in membership by an intermediate district and provided educational services by the department of community health.
- (12) If it is determined that funds allocated under subsection (2) or (11) or under section 51c will not be expended, funds up to the amount necessary and available may be used to supplement the allocations under subsection (2) or (11) or under section 51c in order to fully fund those allocations. After payments under subsections (2) and (11) and section 51c, the remaining expenditures from the allocation in subsection (1) shall be made in the following order:

- (a) 100% of the reimbursement required under section 53a.
- (b) 100% of the reimbursement required under subsection (6).
- (c) 100% of the payment required under section 54.
- (d) 100% of the payment required under subsection (3).
- (e) 100% of the payments under section 56.

(13) The allocations under subsections (2), (3), and (11) shall be allocations to intermediate districts only and shall not be allocations to districts, but instead shall be calculations used only to determine the state payments under section 22b.

(14) If a public school academy enrolls pursuant to this section a pupil who resides outside of the intermediate district in which the public school academy is located and who is eligible for special education programs and services according to statute or rule, or who is a child with disabilities, as defined under the individuals with disabilities education act, Public Law 108-446, the provision of special education programs and services and the payment of the added costs of special education programs and services for the pupil are the responsibility of the district and intermediate district in which the pupil resides unless the enrolling district or intermediate district has a written agreement with the district or intermediate district in which the pupil resides or the public school academy for the purpose of providing the pupil with a free appropriate public education and the written agreement includes at least an agreement on the responsibility for the payment of the added costs of special education programs and services for the pupil.

Sec. 51b. A district or intermediate district shall not receive funds under ~~this article~~ **SECTION 51A** unless the district or intermediate district complies with rules promulgated under article 3 of the revised school code, being sections 380.1701 to 380.1766 of the Michigan Compiled Laws.

Sec. 51c. As required by the court in the consolidated cases known as *Durant v State of Michigan*, Michigan supreme court docket no. 104458-104492, from the allocation under section 51a(1), there is allocated each fiscal year for ~~2011-2012 and for 2012-2013~~ **AND FOR 2013-2014** the amount necessary, estimated at ~~\$648,700,000.00 for 2011-2012 and estimated at \$678,000,000.00~~ **\$642,000,000.00** for 2012-2013, **AND ESTIMATED AT \$662,200,000.00 FOR 2013-2014**, for payments to reimburse districts for 28.6138% of total approved costs of special education excluding costs reimbursed under section 53a, and 70.4165% of total approved costs of special education transportation. Funds allocated under this section that are not expended in the state fiscal year for which they were allocated, as determined by the department, may be used to supplement the allocations under sections 22a and 22b in order to fully fund those calculated allocations for the same fiscal year.

Sec. 51d. (1) From the federal funds appropriated in section 11, there is allocated for ~~each fiscal year 2011-2012 and for 2012-2013~~ **2013-2014** all available federal funding, estimated at \$74,000,000.00, ~~each fiscal year~~, for special education programs that are funded by federal grants. All federal funds allocated under this section shall be distributed in accordance with federal law. Notwithstanding section 17b, payments of federal funds to districts, intermediate districts, and other eligible entities under this section shall be paid on a schedule determined by the department.

(2) From the federal funds allocated under subsection (1), the following amounts are allocated ~~each fiscal year for 2011-2012 and for 2012-2013~~ **FOR 2013-2014**:

- (a) An amount estimated at \$15,000,000.00 for handicapped infants and toddlers, funded from DED-OSERS, handicapped infants and toddlers funds.
- (b) An amount estimated at \$14,000,000.00 for preschool grants (Public Law 94-142), funded from DED-OSERS, handicapped preschool incentive funds.

(c) An amount estimated at \$45,000,000.00 for special education programs funded by DED-OSERS, handicapped program, individuals with disabilities act funds.

(3) As used in this section, "DED-OSERS" means the United States department of education office of special education and rehabilitative services.

Sec. 53a. (1) For districts, reimbursement for pupils described in subsection (2) shall be 100% of the total approved costs of operating special education programs and services approved by the department and included in the intermediate district plan adopted pursuant to article 3 of the revised school code, MCL 380.1701 to 380.1766, minus the district's foundation allowance calculated under section 20. For intermediate districts, reimbursement for pupils described in subsection (2) shall be calculated in the same manner as for a district, using the foundation allowance under section 20 of the pupil's district of residence, not to exceed the basic foundation allowance under section 20 for the current fiscal year.

(2) Reimbursement under subsection (1) is for the following special education pupils:

(a) Pupils assigned to a district or intermediate district through the community placement program of the courts or a state agency, if the pupil was a resident of another intermediate district at the time the pupil came under the jurisdiction of the court or a state agency.

(b) Pupils who are residents of institutions operated by the department of community health.

(c) Pupils who are former residents of department of community health institutions for the developmentally disabled who are placed in community settings other than the pupil's home.

(d) Pupils enrolled in a department-approved on-grounds educational program longer than 180 days, but not longer than 233 days, at a residential child care institution, if the child care institution offered in 1991-92 an on-grounds educational program longer than 180 days but not longer than 233 days.

(e) Pupils placed in a district by a parent for the purpose of seeking a suitable home, if the parent does not reside in the same intermediate district as the district in which the pupil is placed.

(3) Only those costs that are clearly and directly attributable to educational programs for pupils described in subsection (2), and that would not have been incurred if the pupils were not being educated in a district or intermediate district, are reimbursable under this section.

(4) The costs of transportation shall be funded under this section and shall not be reimbursed under section 58.

(5) Not more than \$13,500,000.00 of the allocation for ~~2011-2012 and for 2012-2013~~ **2013-2014** in section 51a(1) shall be allocated ~~for each fiscal year under this section.~~

Sec. 54. Each intermediate district shall receive an amount per pupil for each pupil in attendance at the Michigan schools for the deaf and blind. The amount shall be proportionate to the total instructional cost at each school. Not more than \$1,688,000.00 of the allocation for ~~2012-2013-2013-2014~~ in section 51a(1) shall be allocated under this section.

Sec. 56. (1) For the purposes of this section:

(a) "Membership" means for a particular fiscal year the total membership for the immediately preceding fiscal year of the intermediate district and the districts constituent to the intermediate district.

(b) "Millage levied" means the millage levied for special education pursuant to part 30 of the revised school code, MCL 380.1711 to 380.1743, including a levy for debt service obligations.

(c) "Taxable value" means the total taxable value of the districts constituent to an intermediate district, except that if a district has elected not to come under part 30 of the revised school code, MCL 380.1711 to 380.1743, membership and taxable value of the district shall not be included in the membership and taxable value of the intermediate district.

(2) From the allocation under section 51a(1), there is allocated an amount not to exceed ~~\$36,881,100.00 for 2012-2013~~ **\$37,758,100.00 FOR 2013-2014** to reimburse intermediate districts levying millages for special education pursuant to part 30 of the revised school code, MCL 380.1711 to 380.1743. The purpose, use, and expenditure of the reimbursement shall be limited as if the funds were generated by these millages and governed by the intermediate district plan adopted pursuant to article 3 of the revised school code, MCL 380.1701 to 380.1766. As a condition of receiving funds under this section, an intermediate district distributing any portion of special education millage funds to its constituent districts shall submit for departmental approval and implement a distribution plan.

(3) Reimbursement for those millages levied in ~~2010-2011-2012-2013~~ shall be made in ~~2011-2012-2013-2014~~ at an amount per ~~2010-2011-2012-2013~~ membership pupil computed by subtracting from ~~\$174,700.00~~ **\$169,900.00** the ~~2010-2011-2012-2013~~ taxable value behind each membership pupil and multiplying the resulting difference by the ~~2010-2011-2012-2013~~ millage levied.

(4) ~~For 2012-2013 only, reimbursement to each intermediate district shall be equal to its reimbursement under this section for 2011-2012.~~

(4) THE AMOUNT PAID TO A SINGLE INTERMEDIATE DISTRICT UNDER THIS SECTION SHALL NOT EXCEED 62.9% OF THE TOTAL AMOUNT ALLOCATED UNDER SUBSECTION (2).

(5) THE AMOUNT PAID TO A SINGLE INTERMEDIATE DISTRICT UNDER THIS SECTION SHALL NOT BE LESS THAN 75% OF THE AMOUNT ALLOCATED TO THE INTERMEDIATE DISTRICT UNDER THIS SECTION FOR THE IMMEDIATELY PRECEDING FISCAL YEAR.

Sec. 61a. (1) From the appropriation in section 11, there is allocated an amount not to exceed \$26,611,300.00 for ~~2012-2013~~ **2013-2014** to reimburse on an added cost basis districts, except for a district that served as the fiscal agent for a vocational

education consortium in the 1993-94 school year, and secondary area vocational-technical education centers for secondary-level career and technical education programs according to rules approved by the superintendent. Applications for participation in the programs shall be submitted in the form prescribed by the department. The department shall determine the added cost for each career and technical education program area. The allocation of added cost funds shall be based on the type of career and technical education programs provided, the number of pupils enrolled, and the length of the training period provided, and shall not exceed 75% of the added cost of any program. With the approval of the department, the board of a district maintaining a secondary career and technical education program may offer the program for the period from the close of the school year until September 1. The program shall use existing facilities and shall be operated as prescribed by rules promulgated by the superintendent.

(2) Except for a district that served as the fiscal agent for a vocational education consortium in the 1993-94 school year, districts and intermediate districts shall be reimbursed for local career and technical education administration, shared time career and technical education administration, and career education planning district career and technical education administration. The definition of what constitutes administration and reimbursement shall be pursuant to guidelines adopted by the superintendent. Not more than \$800,000.00 of the allocation in subsection (1) shall be distributed under this subsection.

(3) IN ADDITION TO THE FUNDS ALLOCATED IN SUBSECTION (1), FROM THE APPROPRIATION IN SECTION 11, THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$1,000,000.00 FOR 2013-2014 TO DISTRICTS OR INTERMEDIATE DISTRICTS FOR AREA CAREER AND TECHNICAL EDUCATION CENTERS FOR THE PURPOSE OF INTEGRATING THE MICHIGAN MERIT CURRICULUM CONTENT STANDARDS UNDER SECTIONS 1278A AND 1278B OF THE REVISED SCHOOL CODE, MCL 380.1278A AND 380.1278B, INTO STATE-APPROVED CAREER AND TECHNICAL EDUCATION INSTRUCTIONAL PROGRAMS FOR THE PURPOSE OF AWARDED ACADEMIC CREDIT. THE DEPARTMENT SHALL DETERMINE THE ALLOCATION TO EACH CAREER AND TECHNICAL EDUCATION CENTER IN A MANNER THAT PROVIDES FOR MAXIMUM INTEGRATION OF MICHIGAN MERIT CURRICULUM CONTENT STANDARDS STATEWIDE.

Sec. 62. (1) For the purposes of this section:

(a) "Membership" means for a particular fiscal year the total membership for the immediately preceding fiscal year of the intermediate district and the districts constituent to the intermediate district or the total membership for the immediately preceding fiscal year of the area vocational-technical program.

(b) "Millage levied" means the millage levied for area vocational-technical education pursuant to sections 681 to 690 of the revised school code, MCL 380.681 to 380.690, including a levy for debt service obligations incurred as the result of borrowing for capital outlay projects and in meeting capital projects fund requirements of area vocational-technical education.

(c) "Taxable value" means the total taxable value of the districts constituent to an intermediate district or area vocational-technical education program, except that if a district has elected not to come under sections 681 to 690 of the revised school code, MCL 380.681 to 380.690, the membership and taxable value of that district shall not be included in the membership and taxable value of the intermediate district. However, the membership and taxable value of a district that has elected not to come under sections 681 to 690 of the revised school code, MCL 380.681 to 380.690, shall be included in the membership and taxable value of the intermediate district if the district meets both of the following:

(i) The district operates the area vocational-technical education program pursuant to a contract with the intermediate district.

(ii) The district contributes an annual amount to the operation of the program that is commensurate with the revenue that would have been raised for operation of the program if millage were levied in the district for the program under sections 681 to 690 of the revised school code, MCL 380.681 to 380.690.

(2) From the appropriation in section 11, there is allocated an amount not to exceed ~~\$9,000,000.00 for 2012-2013~~ **\$9,190,000.00 FOR 2013-2014** to reimburse intermediate districts and area vocational-technical education programs established under section 690(3) of the revised school code, MCL 380.690, levying millages for area vocational-technical education pursuant to sections 681 to 690 of the revised school code, MCL 380.681 to 380.690. The purpose, use, and expenditure of the reimbursement shall be limited as if the funds were generated by those millages.

(3) Reimbursement for the millages levied in ~~2010-2011~~ **2012-2013** shall be made in ~~2011-2012~~ **2013-2014** at an amount per ~~2010-2011~~ **2012-2013** membership pupil computed by subtracting from ~~\$190,400.00~~ **\$186,500.00** the ~~2010-2011~~ **2012-2013** taxable value behind each membership pupil and multiplying the resulting difference by the ~~2010-2011~~ **2012-2013** millage levied.

~~(4) For 2012-2013 only, reimbursements to each intermediate district shall be equal to its reimbursement under this section for 2011-2012.~~

(4) THE AMOUNT PAID TO A SINGLE INTERMEDIATE DISTRICT UNDER THIS SECTION SHALL NOT EXCEED 38.4% OF THE TOTAL AMOUNT ALLOCATED UNDER SUBSECTION (2).

(5) THE AMOUNT PAID TO A SINGLE INTERMEDIATE DISTRICT UNDER THIS SECTION SHALL NOT BE LESS THAN 75% OF THE AMOUNT ALLOCATED TO THE INTERMEDIATE DISTRICT UNDER THIS SECTION FOR THE IMMEDIATELY PRECEDING FISCAL YEAR.

SEC. 64A. FROM THE APPROPRIATION IN SECTION 11, THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$1,000,000.00 FOR 2013-2014 TO DISTRICTS OR INTERMEDIATE DISTRICTS FOR THE PURPOSE OF ESTABLISHING PARTNERSHIPS BETWEEN HIGH SCHOOLS, EARLY OR MIDDLE COLLEGES, AND

PUBLIC COLLEGES AND UNIVERSITIES THAT DEVELOP STATEWIDE TRANSFER OR ARTICULATION AGREEMENTS TO ENSURE POSTSECONDARY CREDIT EARNED DURING HIGH SCHOOL IS INCLUDED IN TRANSCRIPTS AND IS TRANSFERABLE TO POSTSECONDARY INSTITUTIONS. THE DEPARTMENT SHALL DISTRIBUTE FUNDS UNDER THIS SECTION TO DISTRICTS OR INTERMEDIATE DISTRICTS IN A MANNER AND FORM DETERMINED BY THE DEPARTMENT.

Sec. 74. (1) From the amount appropriated in section 11, there is allocated an amount not to exceed ~~\$3,259,900.00 for 2012-2013~~ **\$3,299,000.00 FOR 2013-2014** for the purposes of this section.

(2) From the allocation in subsection (1), there is allocated for each fiscal year the amount necessary for payments to state supported colleges or universities and intermediate districts providing school bus driver safety instruction pursuant to section 51 of the pupil transportation act, 1990 PA 187, MCL 257.1851. The payments shall be in an amount determined by the department not to exceed 75% of the actual cost of instruction and driver compensation for each public or nonpublic school bus driver attending a course of instruction. For the purpose of computing compensation, the hourly rate allowed each school bus driver shall not exceed the hourly rate received for driving a school bus. Reimbursement compensating the driver during the course of instruction shall be made by the department to the college or university or intermediate district providing the course of instruction.

(3) From the allocation in subsection (1), there is allocated each fiscal year the amount necessary to pay the reasonable costs of nonspecial education auxiliary services transportation provided pursuant to section 1323 of the revised school code, MCL 380.1323. Districts funded under this subsection shall not receive funding under any other section of this article for nonspecial education auxiliary services transportation.

(4) From the funds allocated in subsection (1), there is allocated an amount not to exceed ~~\$1,634,900.00 for 2012-2013~~ **\$1,674,000.00 FOR 2013-2014** for reimbursement to districts and intermediate districts for costs associated with the inspection of school buses and pupil transportation vehicles by the department of state police as required under section 715a of the Michigan vehicle code, 1949 PA 300, MCL 257.715a, and section 39 of the pupil transportation act, 1990 PA 187, MCL 257.1839. The department of state police shall prepare a statement of costs attributable to each district for which bus inspections are provided and submit it to the department and to an intermediate district serving as fiduciary in a time and manner determined jointly by the department and the department of state police. Upon review and approval of the statement of cost, the department shall forward to the designated intermediate district serving as fiduciary the amount of the reimbursement on behalf of each district and intermediate district for costs detailed on the statement within 45 days after receipt of the statement. The designated intermediate district shall make payment in the amount specified on the statement to the department of state police within 45 days after receipt of the statement. The total reimbursement of costs under this subsection shall not exceed the amount allocated under this subsection. Notwithstanding section 17b, payments to eligible entities under this subsection shall be paid on a schedule prescribed by the department.

Sec. 81. (1) Except as otherwise provided in this section, from the appropriation in section 11, there is allocated **EACH FISCAL YEAR** for 2012-2013 **AND FOR 2013-2014** to the intermediate districts the sum necessary, but not to exceed ~~\$64,108,000.00,~~ **\$64,115,100.00 EACH FISCAL YEAR**, to provide state aid to intermediate districts under this section.

(2) From the allocation in subsection (1), there is allocated an amount not to exceed \$62,108,000.00 for allocations to each intermediate district for 2012-2013 in an amount equal to 100% of the amount allocated to the intermediate district under this subsection for 2011-2012. **FROM THE ALLOCATION IN SUBSECTION (1), THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$62,108,000.00 FOR ALLOCATIONS TO EACH INTERMEDIATE DISTRICT FOR 2013-2014 IN AN AMOUNT EQUAL TO 100.0% OF THE AMOUNT ALLOCATED TO THE INTERMEDIATE DISTRICT UNDER THIS SUBSECTION FOR 2012-2013.** Funding provided under this section shall be used to comply with requirements of this article and the revised school code that are applicable to intermediate districts, and for which funding is not provided elsewhere in this article, and to provide technical assistance to districts as authorized by the intermediate school board.

(3) Intermediate districts receiving funds under subsection (2) shall collaborate with the department to develop expanded professional development opportunities for teachers to update and expand their knowledge and skills needed to support the Michigan merit curriculum.

(4) From the allocation in subsection (1), there is allocated to an intermediate district, formed by the consolidation or annexation of 2 or more intermediate districts or the attachment of a total intermediate district to another intermediate school district or the annexation of all of the constituent K-12 districts of a previously existing intermediate school district which has disorganized, an additional allotment of \$3,500.00 each fiscal year for each intermediate district included in the new intermediate district for 3 years following consolidation, annexation, or attachment. **FROM THE ALLOCATION IN SUBSECTION (1), THERE IS ALLOCATED \$7,000.00 FOR PURPOSES OF THIS SUBSECTION FOR 2012-2013, FOR 2013-2014, AND FOR 2014-2015, AFTER WHICH THE PAYMENT UNDER THIS SUBSECTION WILL CEASE.**

(5) During a fiscal year, the department shall not increase an intermediate district's allocation under subsection (1) because of an adjustment made by the department during the fiscal year in the intermediate district's taxable value for a prior year. Instead, the department shall report the adjustment and the estimated amount of the increase to the house and senate fiscal agencies and the state budget director not later than June 1 of the fiscal year, and the legislature shall appropriate money for the adjustment in the next succeeding fiscal year.

(5) (6)-In order to receive funding under subsection (2), an intermediate district shall do all of the following:

(a) Demonstrate to the satisfaction of the department that the intermediate district employs at least 1 person who is trained in pupil accounting and auditing procedures, rules, and regulations.

(b) Demonstrate to the satisfaction of the department that the intermediate district employs at least 1 person who is trained in rules, regulations, and district reporting procedures for the individual-level student data that serves as the basis for the calculation of the district and high school graduation and dropout rates.

(c) Comply with sections 1278a and 1278b of the revised school code, MCL 380.1278a and 380.1278b.

(d) Furnish data and other information required by state and federal law to the center and the department in the form and manner specified by the center or the department, as applicable.

(e) Comply with section 1230g of the revised school code, MCL 380.1230g.

(f) Comply with section 761 of the revised school code, MCL 380.761.

(6) (7)-From the allocation in subsection (1), there is allocated an amount not to exceed \$2,000,000.00 for 2012-2013 for an incentive payment to each intermediate district that meets best practices as determined by the department under this subsection. The amount of the incentive payment is an amount equal to 3.2% of the amount allocated to the intermediate district under subsection (2). An intermediate district is eligible for an incentive payment under this subsection if the intermediate district satisfies at least 4 of the following requirements not later than June 1, 2013:

(a) The intermediate district enters into an agreement with the department to do all of the following:

(i) Develop a service consolidation plan in 2012-2013 to reduce operating costs that is in compliance with guidelines that were developed by the department for former section 11d as that section was in effect for 2010-2011.

(ii) Implement the service consolidation plan in 2013-2014 and report to the department not later than February 1, 2014 on the intermediate district's progress in implementing the service consolidation plan.

(b) The intermediate district has obtained competitive bids on the provision of 1 or more noninstructional services for the intermediate district or its constituent districts with a value of at least \$50,000.00.

(c) The intermediate district develops a technology plan in accordance with department policy on behalf of all constituent districts within the intermediate district that integrates technology into the classroom and prepares teachers to use digital technologies as part of the instructional program of each of its constituent districts.

(d) The intermediate district provides to parents and community members a dashboard or report card demonstrating the intermediate district's efforts to manage its finances responsibly. The dashboard or report card shall include at least all of the following for the 3 most recent school years for which the data are available:

(i) A list of services offered by the intermediate district that are shared by other local or intermediate districts and a list of the districts or intermediate districts that participate.

(ii) The total cost savings to local or other intermediate districts that share services with the intermediate district.

(iii) The number and percentage of teachers in the intermediate district service area that are trained to integrate technology into the classroom.

(iv) The total funds received from levying special education and vocational education millages, and the number of special education and vocational education pupils served with those dollars.

(v) The number and percentage of individualized education programs developed for special education pupils that contain academic goals.

(e) The intermediate district works in a consortium with 1 or more other intermediate districts to develop information management system requirements and bid specifications that can be used as statewide models. At a minimum, these specifications shall address-~~address~~**INCLUDE** pupil management systems for both general and special education, learning management tools, and business services.

(7) FROM THE ALLOCATION IN SUBSECTION (1), THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$2,000,000.00 FOR 2013-2014 FOR AN INCENTIVE PAYMENT TO EACH INTERMEDIATE DISTRICT THAT MEETS BEST PRACTICES AS DETERMINED BY THE DEPARTMENT UNDER THIS SUBSECTION. THE AMOUNT OF THE INCENTIVE PAYMENT IS AN AMOUNT EQUAL TO 3.2% OF THE AMOUNT ALLOCATED TO THE INTERMEDIATE DISTRICT UNDER SUBSECTION (2). AN INTERMEDIATE DISTRICT IS ELIGIBLE FOR AN INCENTIVE PAYMENT UNDER THIS SUBSECTION IF THE INTERMEDIATE DISTRICT SATISFIES AT LEAST 5 OF THE FOLLOWING REQUIREMENTS NOT LATER THAN JUNE 1, 2014:

(A) THE INTERMEDIATE DISTRICT ENTERS INTO AN AGREEMENT WITH THE DEPARTMENT TO COMPLY WITH ALL OF THE FOLLOWING:

(i) IF THE INTERMEDIATE DISTRICT DEVELOPED A SERVICE CONSOLIDATION PLAN IN 2012-2013, IMPLEMENT THE SERVICE CONSOLIDATION PLAN IN 2013-2014 AND REPORT TO THE DEPARTMENT NOT LATER THAN FEBRUARY 1, 2014 ON THE INTERMEDIATE DISTRICT'S PROGRESS IN IMPLEMENTING THE SERVICE CONSOLIDATION PLAN.

(ii) IF THE INTERMEDIATE DISTRICT DID NOT DEVELOP A SERVICE CONSOLIDATION PLAN IN 2012-2013, DEVELOP A SERVICE CONSOLIDATION PLAN IN 2013-2014 TO REDUCE OPERATING COSTS THAT IS IN COMPLIANCE WITH GUIDELINES THAT WERE DEVELOPED BY THE DEPARTMENT FOR FORMER SECTION 11D AS THAT SECTION WAS IN EFFECT FOR 2010-2011.

(iii) IF THE INTERMEDIATE DISTRICT DEVELOPED A SERVICE CONSOLIDATION PLAN IN 2013-2014, IMPLEMENT THE SERVICE CONSOLIDATION PLAN IN 2014-2015 AND REPORT TO THE DEPARTMENT NOT LATER THAN FEBRUARY 1, 2015 ON THE INTERMEDIATE DISTRICT'S PROGRESS IN IMPLEMENTING THE SERVICE CONSOLIDATION PLAN.

(iv) MAKE THE INTERMEDIATE DISTRICT'S SERVICE CONSOLIDATION PLAN PUBLICLY AVAILABLE ON THE INTERMEDIATE DISTRICT'S WEBSITE.

(B) THE INTERMEDIATE DISTRICT HAS OBTAINED COMPETITIVE BIDS ON THE PROVISION OF 1 OR MORE NONINSTRUCTIONAL SERVICES FOR THE INTERMEDIATE DISTRICT OR ITS CONSTITUENT DISTRICTS WITH A VALUE OF AT LEAST \$50,000.00. THE UNFUNDED ACCRUED LIABILITY COSTS FOR RETIREMENT AND OTHER BENEFITS SHALL BE EXCLUDED FROM THE INTERMEDIATE DISTRICT'S CURRENT COSTS FOR THE PURPOSE OF COMPARING COMPETITIVE BIDS TO THE CURRENT COSTS OF PROVIDING SERVICES.

(C) THE INTERMEDIATE DISTRICT DEVELOPS A TECHNOLOGY PLAN IN ACCORDANCE WITH DEPARTMENT POLICY ON BEHALF OF ALL CONSTITUENT DISTRICTS WITHIN THE INTERMEDIATE DISTRICT THAT INTEGRATES TECHNOLOGY INTO THE CLASSROOM AND PREPARES TEACHERS TO USE DIGITAL TECHNOLOGIES AS PART OF THE INSTRUCTIONAL PROGRAM OF EACH OF ITS CONSTITUENT DISTRICTS. AN INTERMEDIATE DISTRICT THAT DEVELOPED A TECHNOLOGY PLAN IN 2012-2013 SHALL BEGIN IMPLEMENTING THAT TECHNOLOGY PLAN IN 2013-2014.

(D) THE INTERMEDIATE DISTRICT PROVIDES TO PARENTS AND COMMUNITY MEMBERS A DASHBOARD OR REPORT CARD DEMONSTRATING THE INTERMEDIATE DISTRICT'S EFFORTS TO MANAGE ITS FINANCES RESPONSIBLY. THE DASHBOARD OR REPORT CARD SHALL INCLUDE REVENUE AND EXPENDITURE PROJECTIONS FOR THE INTERMEDIATE DISTRICT FOR 2013-2014 AND 2014-2015, A LISTING OF ALL DEBT SERVICE OBLIGATIONS, DETAILED BY PROJECT, INCLUDING ANTICIPATED 2013-2014 PAYMENT FOR EACH PROJECT, A LISTING OF TOTAL OUTSTANDING DEBT, AND AT LEAST ALL OF THE FOLLOWING FOR THE 3 MOST RECENT SCHOOL YEARS FOR WHICH THE DATA ARE AVAILABLE:

(i) A LIST OF SERVICES OFFERED BY THE INTERMEDIATE DISTRICT THAT ARE SHARED BY OTHER LOCAL OR INTERMEDIATE DISTRICTS AND A LIST OF THE DISTRICTS OR INTERMEDIATE DISTRICTS THAT PARTICIPATE.

(ii) THE TOTAL COST SAVINGS TO LOCAL OR OTHER INTERMEDIATE DISTRICTS THAT SHARE SERVICES WITH THE INTERMEDIATE DISTRICT.

(iii) THE NUMBER AND PERCENTAGE OF TEACHERS IN THE INTERMEDIATE DISTRICT SERVICE AREA THAT ARE TRAINED TO INTEGRATE TECHNOLOGY INTO THE CLASSROOM.

(iv) THE TOTAL FUNDS RECEIVED FROM LEVYING SPECIAL EDUCATION AND VOCATIONAL EDUCATION MILLAGES, AND THE NUMBER OF SPECIAL EDUCATION AND VOCATIONAL EDUCATION PUPILS SERVED WITH THOSE DOLLARS.

(v) THE NUMBER AND PERCENTAGE OF INDIVIDUALIZED EDUCATION PROGRAMS DEVELOPED FOR SPECIAL EDUCATION PUPILS THAT CONTAIN ACADEMIC GOALS.

(E) THE INTERMEDIATE DISTRICT WORKS IN A CONSORTIUM WITH 1 OR MORE OTHER INTERMEDIATE DISTRICTS AND THE CENTER TO DEVELOP LOCAL INFORMATION MANAGEMENT SYSTEM REQUIREMENTS AND BID SPECIFICATIONS THAT RESULT IN A RECOMMENDED MODEL INFORMATION SYSTEM THAT SUPPORTS INTEROPERABILITY TO ENSURE LINKAGE AND CONNECTIVITY IN A MANNER THAT FACILITATES THE EFFICIENT EXCHANGE OF DATA AMONG DISTRICTS, INTERMEDIATE DISTRICTS, AND THE CENTER. AT A MINIMUM, THESE SPECIFICATIONS SHALL INCLUDE PUPIL MANAGEMENT SYSTEMS FOR BOTH GENERAL AND SPECIAL EDUCATION, LEARNING MANAGEMENT TOOLS, AND BUSINESS SERVICES.

(F) IF AN INTERMEDIATE DISTRICT PROVIDES MEDICAL, PHARMACY, DENTAL, VISION, DISABILITY, LONG-TERM CARE, OR ANY OTHER TYPE OF BENEFIT THAT WOULD CONSTITUTE A HEALTH CARE SERVICES BENEFIT, TO EMPLOYEES AND THEIR DEPENDENTS, THE INTERMEDIATE DISTRICT IS THE POLICYHOLDER FOR EACH OF ITS INSURANCE POLICIES THAT COVERS 1 OR MORE OF THESE BENEFITS. AN INTERMEDIATE DISTRICT THAT DOES NOT DIRECTLY EMPLOY ITS STAFF OR AN INTERMEDIATE DISTRICT WITH A VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION THAT PAYS NO MORE THAN THE MAXIMUM PER EMPLOYEE CONTRIBUTION AMOUNT AND THAT CONTRIBUTES NO MORE THAN THE MAXIMUM EMPLOYER CONTRIBUTION PERCENTAGE OF TOTAL ANNUAL COSTS FOR THE MEDICAL BENEFIT PLANS AS DESCRIBED IN SECTIONS 3 AND 4 OF THE PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT, 2011 PA 152, MCL 15.563 AND 15.564, IS CONSIDERED TO HAVE SATISFIED THIS REQUIREMENT.

Sec. 94a. (1) There is created within the state budget office in the department of technology, management, and budget the center for educational performance and information. The center shall do all of the following:

(a) Coordinate the collection of all data required by state and federal law from districts, intermediate districts, and postsecondary institutions.

(b) Create, maintain, and enhance this state's P-20 longitudinal data system and ensure that it meets the requirements of subsection (4).

(c) Collect data in the most efficient manner possible in order to reduce the administrative burden on reporting entities, including, but not limited to, electronic transcript services.

(d) Create, maintain, and enhance this state's web-based educational portal to provide information to school leaders, teachers, researchers, and the public in compliance with all federal and state privacy laws. Data shall include, but are not limited to, all of the following:

(i) Data sets that link teachers to student information, allowing districts to assess individual teacher impact on student performance and consider student growth factors in teacher and principal evaluation systems.

(ii) Data access or, if practical, data sets, provided for regional data warehouses that, in combination with local data, can improve teaching and learning in the classroom.

(iii) Research-ready data sets for researchers to perform research that advances this state's educational performance.

(e) Provide data in a useful manner to allow state and local policymakers to make informed policy decisions.

(f) Provide public reports to the citizens of this state to allow them to assess allocation of resources and the return on their investment in the education system of this state.

(g) Other functions as assigned by the state budget director.

(2) Each state department, officer, or agency that collects information from districts, intermediate districts, or postsecondary institutions as required under state or federal law shall make arrangements with the center to ensure that the state department, officer, or agency is in compliance with subsection (1). This subsection does not apply to information collected by the department of treasury under the uniform budgeting and accounting act, 1968 PA 2, MCL 141.421 to 141.440a; the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821; the school bond qualification, approval, and loan act, 2005 PA 92, MCL 388.1921 to 388.1939; or section 1351a of the revised school code, MCL 380.1351a.

(3) The center may enter into any interlocal agreements necessary to fulfill its functions.

(4) The center shall ensure that the P-20 longitudinal data system required under subsection (1)(b) meets all of the following:

(a) Includes data at the individual student level from preschool through postsecondary education and into the workforce.

(b) Supports interoperability by using standard data structures, data formats, and data definitions to ensure linkage and connectivity in a manner that facilitates the exchange of data among agencies and institutions within the state and between states.

(c) Enables the matching of individual teacher and student records so that an individual student may be matched with those teachers providing instruction to that student.

(d) Enables the matching of individual teachers with information about their certification and the institutions that prepared and recommended those teachers for state certification.

(e) Enables data to be easily generated for continuous improvement and decision-making, including timely reporting to parents, teachers, and school leaders on student achievement.

(f) Ensures the reasonable quality, validity, and reliability of data contained in the system.

(g) Provides this state with the ability to meet federal and state reporting requirements.

(h) For data elements related to preschool through grade 12 and postsecondary, meets all of the following:

(i) Contains a unique statewide student identifier that does not permit a student to be individually identified by users of the system, except as allowed by federal and state law.

(ii) Contains student-level enrollment, demographic, and program participation information.

(iii) Contains student-level information about the points at which students exit, transfer in, transfer out, drop out, or complete education programs.

(iv) Has the capacity to communicate with higher education data systems.

(i) For data elements related to preschool through grade 12 only, meets all of the following:

(i) Contains yearly test records of individual students for assessments approved by DED-OESE for accountability purposes under section 1111(b) of the elementary and secondary education act of 1965, 20 USC 6311, including information on individual students not tested, by grade and subject.

(ii) Contains student-level transcript information, including information on courses completed and grades earned.

(iii) Contains student-level college readiness test scores.

(j) For data elements related to postsecondary education only:

(i) Contains data that provide information regarding the extent to which individual students transition successfully from secondary school to postsecondary education, including, but not limited to, all of the following:

(A) Enrollment in remedial coursework.

(B) Completion of 1 year's worth of college credit applicable to a degree within 2 years of enrollment.

(ii) Contains data that provide other information determined necessary to address alignment and adequate preparation for success in postsecondary education.

(5) From the general fund appropriation in section 11, there is allocated an amount not to exceed ~~\$9,218,400.00 for 2012-2013~~ **\$9,535,100.00 FOR 2013-2014** to the department of technology, management, and budget to support the operations of the center. In addition, from the federal funds appropriated in section 11 there is allocated for ~~2012-2013~~ **2013-2014** the amount necessary, estimated at \$193,500.00, ~~for 2012-2013~~, to support the operations of the center and to establish a P-20 longitudinal data system as provided under this section in compliance with the assurance provided to the United States department of education in order to receive state fiscal stabilization funds. The center shall cooperate with the department to ensure that this state is in compliance with federal law and is maximizing opportunities for increased federal funding to improve education in this state.

(6) From the funds allocated in subsection (5), there is allocated for ~~2012-2013~~ **2013-2014** an amount not to exceed \$850,000.00 for competitive grants to support collaborative efforts on the P-20 longitudinal data system. All of the following apply to grants awarded under this subsection:

(a) The center shall award competitive grants to eligible intermediate districts or a consortium of intermediate districts based on criteria established by the center.

(b) Activities funded under the grant shall support the P-20 longitudinal data system portal and may include portal hosting, hardware and software acquisition, maintenance, enhancements, user support and related materials, and professional learning tools and activities aimed at improving the utility of the P-20 longitudinal data system.

(c) An applicant that received a grant under this subsection for the immediately preceding fiscal year shall receive priority for funding under this section. However, after 3 fiscal years of continuous funding, an applicant is required to compete openly with new applicants.

(7) FROM THE FUNDS ALLOCATED IN SUBSECTION (5), THERE IS ALLOCATED FOR 2013-2014 AN AMOUNT NOT TO EXCEED \$100,000.00 FOR THE CENTER TO DEVELOP THE PUPIL TRANSFER APPLICATION AS REQUIRED UNDER SECTION 25E.

(8) ~~(7)~~ Funds allocated under this section that are not expended in the fiscal year in which they were allocated may be carried forward to a subsequent fiscal year and are appropriated for the purposes for which the funds were originally allocated.

(9) IT IS THE INTENT OF THE LEGISLATURE THAT, BEGINNING IN 2014-2015, A DISTRICT SHALL REPORT TO THE CENTER BY JUNE 30, IN A MANNER PRESCRIBED BY THE CENTER, THE NUMBER OF PUPILS IN THE DISTRICT WHO HAVE HAD 10 OR MORE UNEXCUSED ABSENCES EACH SCHOOL YEAR. FOR PUPILS IN GRADES 9 TO 12, THE REPORT SHALL INCLUDE BOTH THE TOTAL NUMBER OF UNEXCUSED ABSENCES IN ANY SINGLE COURSE AND THE TOTAL NUMBER OF UNEXCUSED ABSENCES IN ALL COURSES. EACH DISTRICT SHALL DEFINE UNEXCUSED ABSENCE. IT IS THE INTENT OF THE LEGISLATURE THAT A DISTRICT THAT REPORTS FALSE INFORMATION UNDER THIS SUBSECTION SHALL FORFEIT AN AMOUNT EQUAL TO 5% OF ITS TOTAL STATE AID ALLOCATION UNDER THIS ACT.

(10) ~~(8)~~ The center may bill departments as necessary in order to fulfill reporting requirements of state and federal law. The center may also enter into agreements to supply custom data, analysis, and reporting to other principal executive departments, state agencies, local units of government, and other individuals and organizations. The center may receive and expend funds in addition to those authorized in subsection (5) to cover the costs associated with salaries, benefits, supplies, materials, and equipment necessary to provide such data, analysis, and reporting services.

(11) ~~(9)~~ As used in this section:

(a) "DED-OESE" means the United States department of education office of elementary and secondary education.

(b) "State education agency" means the department.

Sec. 95. (1) From the funds appropriated in section 11, there is allocated an amount not to exceed \$1,750,000.00 for 2012-2013 **AND THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$500,000.00 FOR 2013-2014** for grants to districts to support professional development for principals and assistant principals in a department-approved training program for implementing educator evaluations as required under section 1249 of the revised school code, MCL 380.1249.

(2) THE FUNDS ALLOCATED UNDER THIS SECTION ARE A WORK PROJECT APPROPRIATION, AND ANY UNEXPENDED FUNDS FOR 2012-2013 ARE CARRIED FORWARD INTO 2013-2014. THE PURPOSE OF THE WORK PROJECT IS TO CONTINUE TO IMPLEMENT THE PROJECTS DESCRIBED UNDER SUBSECTION (1). THE ESTIMATED COMPLETION DATE OF THE WORK PROJECT IS SEPTEMBER 30, 2014.

(3) ~~(2)~~ For 2012-2013, all districts may apply for funding under this section by a date determined by the department. Beginning in 2013-2014, in a form and manner determined by the department, priority will be given to districts that have new building administrators who have not previously received training in programs funded under this section.

(4) ~~(3)~~ The department shall approve training programs for the purpose of this section. The department shall approve all training programs recommended by the ~~governor's~~ council on educator effectiveness and may approve other training programs that meet department criteria. At a minimum, these other programs shall meet all of the following criteria:

(a) Contain instructional content on methods of evaluating teachers consistently across multiple grades and subjects.

(b) Include training on evaluation observation that is focused on reliability and bias awareness and that instills skills needed for consistent, evidence-based observations.

(c) Incorporate the use of videos of actual lessons for applying rubrics and consistent scoring.

(d) Align with recommendations of the ~~governor's~~ council on educator effectiveness.

(e) Provide ongoing support to maintain inter-rater reliability. As used in this subdivision, “inter-rater reliability” means a consistency of measurement from different evaluators independently applying the same evaluation criteria to the same classroom observation.

~~(5)~~ ~~(4)~~ The department shall award grants to eligible districts in an amount determined by the department, but not to exceed \$350.00 per participant.

~~(6)~~ ~~(5)~~ A district receiving funds under this section shall use the funds only for department-approved training programs under this section.

Sec. 98. (1) From the general fund money appropriated in section 11, there is allocated an amount not to exceed ~~\$4,387,500.00 for 2012-2013~~ **\$9,387,500.00 FOR 2013-2014** for the purposes described in this section.

(2) The Michigan virtual university shall ~~establish the center for online learning research and innovation. The center for online learning research and innovation~~ **OPERATE THE MICHIGAN VIRTUAL LEARNING RESEARCH INSTITUTE. THE MICHIGAN VIRTUAL LEARNING RESEARCH INSTITUTE** shall do all of the following:

(a) Support and accelerate innovation in education through the following activities:

(i) Test, evaluate, and recommend as appropriate new technology-based instructional tools and resources.

(ii) Research, design, and recommend ~~online and blended~~ **DIGITAL** education delivery models for use by pupils and teachers that include age-appropriate multimedia instructional content.

(iii) Research, design, and recommend competency-based online assessments.

(iv) Research, develop, and recommend annually to the department criteria by which cyber schools and online course providers should be monitored and evaluated to ensure a quality education for their pupils.

(v) Based on pupil completion and performance data reported to the department or the center for educational performance and information from cyber schools and other online course providers operating in this state, analyze the effectiveness of online learning delivery models in preparing pupils to be college- and career-ready and publish a report that highlights enrollment totals, completion rates, and the overall impact on pupils. The report shall be submitted to the house and senate appropriations subcommittees on state school aid, the state budget director, the house and senate fiscal agencies, and the department not later than December 31, ~~2013-1~~, **2014**.

(vi) ~~Design professional development services for~~ **BEFORE AUGUST 31, 2014, PROVIDE AN EXTENSIVE PROFESSIONAL DEVELOPMENT PROGRAM TO AT LEAST 500 EDUCATIONAL PERSONNEL, INCLUDING teachers, school administrators, and school board members, to learn how to effectively integrate new technologies and online learning into curricula and instruction. THAT FOCUSES ON THE EFFECTIVE INTEGRATION OF DIGITAL LEARNING INTO CURRICULA AND INSTRUCTION. NOT LATER THAN DECEMBER 1, 2014, THE MICHIGAN VIRTUAL LEARNING RESEARCH INSTITUTE SHALL SUBMIT A REPORT TO THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES ON STATE SCHOOL AID, THE STATE BUDGET DIRECTOR, THE HOUSE AND SENATE FISCAL AGENCIES, AND THE DEPARTMENT ON THE NUMBER AND PERCENTAGE OF TEACHERS, SCHOOL ADMINISTRATORS, AND SCHOOL BOARD MEMBERS WHO HAVE RECEIVED PROFESSIONAL DEVELOPMENT SERVICES FROM THE MICHIGAN VIRTUAL UNIVERSITY. THE REPORT SHALL ALSO IDENTIFY BARRIERS AND OTHER OPPORTUNITIES TO ENCOURAGE THE ADOPTION OF DIGITAL LEARNING IN THE PUBLIC EDUCATION SYSTEM.**

(vii) Identify and share best practices for **PLANNING, implementing, AND EVALUATING** online and blended education delivery models with intermediate districts, districts, and public school academies to accelerate the adoption of innovative education delivery models statewide.

(b) Provide leadership for this state’s system of ~~online and blended~~ **DIGITAL** learning education by doing the following activities:

(i) Develop and report policy recommendations to the governor and the legislature that accelerate the expansion of effective online learning in this state’s schools.

(ii) Provide a clearinghouse for research reports, academic studies, evaluations, and other information related to online learning.

(iii) Promote and distribute the most current instructional design standards and guidelines for online teaching.

(iv) In collaboration with the department and interested colleges and universities in this state, recommend to the superintendent guidelines and standards for a new teacher endorsement credential related to effective ~~online and blended~~ **DIGITAL LEARNING** instruction.

(v) Pursue public/private partnerships that include districts to study and implement competency-based technology-rich online learning models.

(vi) Convene focus groups and conduct annual surveys of teachers, administrators, pupils, parents, and others to identify barriers and opportunities related to online learning.

(vii) Produce an annual consumer awareness report for schools and parents about effective online education providers and education delivery models, performance data, cost structures, and research trends.

(3) ~~Subject to the provisions of this subsection, from the funds allocated in subsection (1), there is allocated an amount not to exceed \$500,000.00 for 2012-2013 to the Michigan virtual school operated by the Michigan virtual university to conduct and report on a year-long pilot study of a new performance-based funding model for the Michigan virtual school. The purpose~~

of the pilot study is to determine the merits of a payment system for online instructional programs based on pupil performance rather than solely on enrollment and attendance factors. All of the following apply to the pilot study and the funding under this subsection:

(a) The Michigan virtual school shall randomly select a minimum of 1,000 of its qualifying online course enrollments for inclusion in the pilot study. The Michigan virtual school shall issue a refund or credit to districts for all online course enrollments included in the pilot study.

(b) The Michigan virtual school shall report to the department the number of online course enrollments in the pilot study that meet the following conditions:

(i) The pupil successfully completed the online course as measured by assessments aligned to the course content and earned a grade or credit from the district or public school academy in which the pupil is enrolled.

(ii) The online course is taught by a Michigan-certificated teacher certified in the subject area in which the course is being offered:

(iii) Where applicable, the online course is aligned with Michigan curriculum standards.

(iv) The online course curriculum contains periodic online pupil assessments.

(v) Pupils have access to the appropriate technology hardware and software necessary to take the online course.

(vi) Parents or guardians and pupils have secure online access to review periodic pupil progress and performance data.

(vii) The online instructor is available to interact with parents or guardians and pupils using electronic communications.

(c) The department shall pay to Michigan virtual school from the funding under this subsection an amount not to exceed the equivalent of 1/12 of the state's minimum per pupil foundation allowance for each online course enrollment included in the pilot study that meets the conditions of subdivision (b) in the next school aid payment after the report is received by the department.

(viii) **RESEARCH AND ESTABLISH AN INTERNET-BASED PLATFORM THAT EDUCATORS CAN USE TO CREATE STUDENT-CENTRIC LEARNING TOOLS AND RESOURCES AND FACILITATE A USER NETWORK THAT ASSISTS EDUCATORS IN USING THE PLATFORM. AS PART OF THIS INITIATIVE, THE MICHIGAN VIRTUAL UNIVERSITY SHALL WORK COLLABORATIVELY WITH DISTRICTS AND INTERMEDIATE DISTRICTS TO ESTABLISH A PLAN TO MAKE AVAILABLE ONLINE RESOURCES THAT ALIGN TO MICHIGAN'S K-12 CURRICULUM STANDARDS FOR USE BY STUDENTS, EDUCATORS, AND PARENTS.**

(ix) **CREATE AND MAINTAIN A PUBLIC STATEWIDE CATALOG OF ONLINE LEARNING COURSES BEING OFFERED BY ALL PUBLIC SCHOOLS IN THIS STATE. THE MICHIGAN VIRTUAL LEARNING RESEARCH INSTITUTE SHALL IDENTIFY AND DEVELOP A LIST OF NATIONALLY RECOGNIZED BEST PRACTICES FOR ONLINE LEARNING AND USE THIS LIST TO PROVIDE REVIEWS OF ONLINE COURSE VENDORS, COURSES, AND INSTRUCTIONAL PRACTICES. THE MICHIGAN VIRTUAL LEARNING RESEARCH INSTITUTE SHALL ALSO PROVIDE A MECHANISM FOR INTERMEDIATE DISTRICTS TO USE THE IDENTIFIED BEST PRACTICES TO REVIEW CONTENT OFFERED BY CONSTITUENT DISTRICTS. THE MICHIGAN VIRTUAL LEARNING RESEARCH INSTITUTE SHALL REVIEW THE ONLINE COURSE OFFERINGS OF THE MICHIGAN VIRTUAL UNIVERSITY, AND MAKE THE RESULTS FROM THESE REVIEWS AVAILABLE TO THE PUBLIC AS PART OF THE STATEWIDE CATALOG. THE MICHIGAN VIRTUAL LEARNING RESEARCH INSTITUTE SHALL ENSURE THAT THE STATEWIDE CATALOG IS MADE AVAILABLE TO THE PUBLIC ON THE MICHIGAN VIRTUAL UNIVERSITY WEBSITE AND LINKED TO EACH DISTRICT'S WEBSITE AS PROVIDED FOR IN SECTION 21F. BEGINNING IN 2014-2015, THE STATEWIDE CATALOG SHALL ALSO CONTAIN ALL OF THE FOLLOWING:**

(A) THE NUMBER OF PUPILS ENROLLED IN EACH ONLINE COURSE IN THE 2012-2013 SCHOOL YEAR.

(B) THE NUMBER OF PUPILS WHO SUCCESSFULLY COMPLETED EACH ONLINE COURSE IN THE 2012-2013 SCHOOL YEAR.

(C) THE COMPLETION RATE FOR EACH ONLINE COURSE.

(3) (4)-In order for the Michigan virtual university to receive any funds allocated under this section, the Michigan virtual school must maintain its accreditation status from recognized national and international accrediting entities.

(4) (5)-~~The~~ **IF THE COURSE OFFERINGS ARE INCLUDED IN THE STATEWIDE CATALOG OF ONLINE COURSES UNDER SUBSECTION (2)(B)(ix),** ~~THE~~ Michigan virtual school **OPERATED BY THE MICHIGAN VIRTUAL UNIVERSITY** may offer online course offerings, ~~in addition to those offered in the pilot study described in subsection (3)-~~including, but not limited to, all of the following:

(a) Information technology courses.

(b) College level equivalent courses, as defined in section 1471 of the revised school code, MCL 380.1471.

(c) Courses and dual enrollment opportunities.

(d) Programs and services for at-risk pupils.

(e) General education development test preparation courses for adjudicated youth.

(f) Special interest courses.

(g) Professional development programs for teachers, school administrators, other school employees, and school board members.

(5) ~~(6)~~-If a home-schooled or nonpublic school student is a resident of a district that subscribes to services provided by the Michigan virtual school, the student may use the services provided by the Michigan virtual school to the district without charge to the student beyond what is charged to a district pupil using the same services.

(6) ~~(7)~~-Not later than December 1 of each fiscal year, the Michigan virtual university shall provide a report to the house and senate appropriations subcommittees on state school aid, the state budget director, the house and senate fiscal agencies, and the department that includes at least all of the following information related to the Michigan virtual school for the preceding state fiscal year:

(a) A list of the districts served by the Michigan virtual school.

(b) A list of online course titles available to districts.

(c) The total number of online course enrollments and information on registrations and completions by course.

(d) The overall course completion rate percentage.

~~(e) An analysis of the results of the pilot study described in subsection (3), including, but not limited to:~~

~~(i) A list of the districts that were selected to be part of the pilot study.~~

~~(ii) The number of successful online course completions.~~

~~(iii) A list of the courses offered in the pilot study and the completion rates for each course.~~

~~(iv) Identification of opportunities and barriers that must be addressed in order to apply online learning performance funding based on successful completions rather than enrollment and attendance for online learning offerings statewide.~~

(7) ~~(8)~~-The governor may appoint an advisory group for the ~~center for online learning research and innovation~~ **MICHIGAN VIRTUAL LEARNING RESEARCH INSTITUTE** established under subsection (2). The members of the advisory group shall serve at the pleasure of the governor and shall serve without compensation. The purpose of the advisory group is to make recommendations to the governor, the legislature, and the president and board of the Michigan virtual university that will accelerate innovation in this state's education system in a manner that will prepare elementary and secondary students to be career and college ready and that will promote the goal of increasing the percentage of citizens of this state with high-quality degrees and credentials to at least 60% by 2025.

(8) NOT LATER THAN NOVEMBER 1, 2013, THE MICHIGAN VIRTUAL UNIVERSITY SHALL SUBMIT TO THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES ON STATE SCHOOL AID, THE STATE BUDGET DIRECTOR, AND THE HOUSE AND SENATE FISCAL AGENCIES A DETAILED BUDGET FOR THE 2013-2014 FISCAL YEAR THAT INCLUDES A BREAKDOWN ON ITS PROJECTED COSTS TO DELIVER ONLINE EDUCATIONAL SERVICES TO DISTRICTS AND A SUMMARY OF THE ANTICIPATED FEES TO BE PAID BY DISTRICTS FOR THOSE SERVICES. BEGINNING IN 2013-2014, NOT LATER THAN FEBRUARY 1, THE MICHIGAN VIRTUAL UNIVERSITY SHALL SUBMIT TO THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES ON STATE SCHOOL AID, THE STATE BUDGET DIRECTOR, AND THE HOUSE AND SENATE FISCAL AGENCIES A BREAKDOWN ON ITS ACTUAL COSTS TO DELIVER ONLINE EDUCATIONAL SERVICES TO DISTRICTS AND A SUMMARY OF THE ACTUAL FEES PAID BY DISTRICTS FOR THOSE SERVICES BASED ON AUDITED FINANCIAL STATEMENTS FOR THE IMMEDIATELY PRECEDING FISCAL YEAR.

(9) As used in this section:

(a) "Blended learning" means a hybrid instructional delivery model where pupils are provided ~~face-to-face~~ **CONTENT, instruction, AND ASSESSMENT**, in part at a supervised ~~school~~ **EDUCATIONAL** facility away from home **WHERE THE PUPIL AND A TEACHER WITH A VALID MICHIGAN TEACHING CERTIFICATE ARE IN THE SAME PHYSICAL LOCATION** and in part through ~~computer-based and internet-connected~~ learning environments with some degree of pupil control over time, location, and pace of instruction.

(b) "Cyber school" means a full-time ~~online~~ instructional program **OF ONLINE COURSES** for pupils that may or may not require attendance at a physical school location.

(C) "DIGITAL LEARNING" MEANS INSTRUCTION DELIVERED VIA A WEB-BASED EDUCATIONAL DELIVERY SYSTEM THAT USES VARIOUS INFORMATION TECHNOLOGIES TO PROVIDE A STRUCTURED LEARNING ENVIRONMENT, INCLUDING ONLINE AND BLENDED LEARNING INSTRUCTIONAL METHODS.

(D) (e) "Online instructional program" "COURSE" means a course of study that generates IS CAPABLE OF GENERATING a credit or a grade, THAT IS provided in an interactive computer-based and internet-connected learning environment, in which pupils are separated from their teachers by time or location, or both, and in which a Michigan-certificated teacher TEACHER WHO HOLDS A VALID MICHIGAN TEACHING CERTIFICATE is responsible for providing direct instruction; DETERMINING APPROPRIATE INSTRUCTIONAL METHODS FOR EACH PUPIL, diagnosing learning needs, assessing pupil learning, prescribing intervention strategies, reporting outcomes, and evaluating the effects of instruction and support strategies.

Sec. 99. (1) From the funds appropriated in section 11, there is allocated **FOR 2013-2014** an amount not to exceed ~~\$2,725,000.00 for 2012-2013~~ **\$2,850,000.00 FROM THE STATE SCHOOL AID FUND AND AN AMOUNT NOT TO EXCEED \$375,000.00 FROM THE GENERAL FUND** to support the activities and programs of mathematics and science centers and for other purposes as described in this section. In addition, from the federal funds appropriated in section 11, there is allocated for ~~2012-2013~~ **2013-2014** an amount estimated at \$5,249,300.00 from DED-OESE, title II, mathematics and science partnership grants.

(2) Within a service area designated locally, approved by the department, and consistent with the comprehensive master plan for mathematics and science centers developed by the department and approved by the state board, an established mathematics and science center shall provide 2 or more of the following 6 basic services, as described in the master plan, to constituent districts and communities: leadership, pupil services, curriculum support, community involvement, professional development, and resource clearinghouse services.

(3) The department shall not award a state grant under this section to more than 1 mathematics and science center located in a designated region as prescribed in the 2007 master plan unless each of the grants serves a distinct target population or provides a service that does not duplicate another program in the designated region.

(4) As part of the technical assistance process, the department shall provide minimum standard guidelines that may be used by the mathematics and science center for providing fair access for qualified pupils and professional staff as prescribed in this section.

(5) Allocations under this section to support the activities and programs of mathematics and science centers shall be continuing support grants to all 33 established mathematics and science centers. Each established mathematics and science center that was funded in the immediately preceding fiscal year shall receive state funding in an amount equal to 100% of the amount it was allocated under this subsection for the immediately preceding fiscal year. If a center declines state funding or a center closes, the remaining money available under this section shall be distributed to the remaining centers, as determined by the department.

(6) From the funds allocated in subsection (1), there is allocated for ~~2012-2013~~ **2013-2014** an amount not to exceed \$750,000.00 in a form and manner determined by the department to those centers able to provide curriculum and professional development support to assist districts in implementing the Michigan merit curriculum components for mathematics and science. Funding under this subsection is in addition to funding allocated under subsection (5).

(7) From the ~~funds~~ **STATE SCHOOL AID FUND MONEY** allocated in subsection (1), there is allocated for ~~2012-2013~~ **2013-2014** an amount not to exceed \$100,000.00 in a form and manner determined by the department to a single mathematics and science center that is a participant in the Michigan STEM partnership, **TO BE USED TO ADMINISTER THE GRANT PROCESS UNDER THIS SUBSECTION. FROM THE GENERAL FUND MONEY ALLOCATED IN SUBSECTION (1), THERE IS ALLOCATED FOR 2013-2014 AN AMOUNT NOT TO EXCEED \$375,000.00 TO THE MICHIGAN STEM PARTNERSHIP TO BE USED FOR A COMPETITIVE GRANT PROCESS TO AWARD COMPETITIVE GRANTS TO ORGANIZATIONS CONDUCTING STUDENT-FOCUSED, PROJECT-BASED PROGRAMS AND COMPETITIONS, EITHER IN THE CLASSROOM OR EXTRACURRICULAR, IN SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS SUBJECTS SUCH AS, BUT NOT LIMITED TO, ROBOTICS, CODING, AND DESIGN-BUILD-TEST PROJECTS, FROM PRE-KINDERGARTEN THROUGH COLLEGE LEVEL.** Funding under this subsection is in addition to funding allocated under subsection (5) and shall be used for connecting mathematics and science centers for science, technology, engineering, and mathematics purposes. **A PROGRAM RECEIVING FUNDS UNDER SECTION 99H MAY NOT RECEIVE FUNDS UNDER THIS SUBSECTION.**

(8) In order to receive state or federal funds under this section, a grant recipient shall allow access for the department or the department's designee to audit all records related to the program for which it receives such funds. The grant recipient shall reimburse the state for all disallowances found in the audit.

(9) Not later than September 30, 2013, the department shall reevaluate and update the comprehensive master plan described in subsection (1).

(10) The department shall give preference in awarding the federal grants allocated in subsection (1) to eligible existing mathematics and science centers.

(11) In order to receive state funds under this section, a grant recipient shall provide at least a 10% local match from local public or private resources for the funds received under this section.

(12) Not later than July 1 of each year, a mathematics and science center that receives funds under this section shall report to the department in a form and manner prescribed by the department on the following performance measures:

(a) Statistical change in pre- and post-assessment scores for students who enrolled in mathematics and science activities provided to districts by the mathematics and science center.

(b) Statistical change in pre- and post-assessment scores for teachers who enrolled in professional development activities provided by the mathematics and science center.

(13) As used in this section:

(a) "DED" means the United States department of education.

(b) "DED-OESE" means the DED office of elementary and secondary education.

SEC. 99H. (1) FROM THE APPROPRIATION IN SECTION 11, THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$3,000,000.00 FOR 2013-2014 FOR COMPETITIVE GRANTS TO DISTRICTS THAT PROVIDE PUPILS IN GRADES 7 TO 12 WITH EXPANDED OPPORTUNITIES TO IMPROVE MATHEMATICS, SCIENCE, AND TECHNOLOGY SKILLS BY PARTICIPATING IN EVENTS HOSTED BY A SCIENCE AND TECHNOLOGY DEVELOPMENT PROGRAM KNOWN AS FIRST (FOR INSPIRATION AND RECOGNITION OF SCIENCE AND TECHNOLOGY) ROBOTICS.

(2) A DISTRICT APPLYING FOR A FIRST TECH CHALLENGE OR FIRST ROBOTICS COMPETITION PROGRAM GRANT SHALL SUBMIT AN APPLICATION IN A FORM AND MANNER DETERMINED BY THE

DEPARTMENT. TO BE ELIGIBLE FOR A GRANT, A DISTRICT SHALL DEMONSTRATE IN ITS APPLICATION THAT THE DISTRICT HAS ESTABLISHED A PARTNERSHIP FOR THE PURPOSES OF THE FIRST PROGRAM WITH AT LEAST 1 SPONSOR, BUSINESS ENTITY, HIGHER EDUCATION INSTITUTION, OR TECHNICAL SCHOOL.

(3) THE DEPARTMENT SHALL DISTRIBUTE THE GRANT FUNDING UNDER THIS SECTION FOR THE FOLLOWING PURPOSES:

(A) EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPH (iii), NOT MORE THAN \$1,000,000.00 FOR GRANTS TO DISTRICTS TO PAY FOR STIPENDS OF \$1,500.00 FOR 1 COACH PER TEAM, DISTRIBUTED AS FOLLOWS:

(i) NOT MORE THAN 500 STIPENDS FOR COACHES OF HIGH SCHOOL TEAMS, INCLUDING EXISTING TEAMS.

(ii) NOT MORE THAN 100 STIPENDS FOR COACHES OF MIDDLE SCHOOL OR JUNIOR HIGH TEAMS, INCLUDING EXISTING TEAMS.

(iii) IF THE REQUESTS FOR STIPENDS EXCEED THE NUMBERS OF STIPENDS ALLOWED UNDER SUBPARAGRAPHS (i) AND (ii), AND IF THERE IS FUNDING REMAINING UNSPENT UNDER SUBDIVISIONS (B) AND (C), THE DEPARTMENT SHALL USE THAT REMAINING UNSPENT FUNDING FOR GRANTS TO DISTRICTS TO PAY FOR ADDITIONAL STIPENDS IN A MANNER THAT EXPANDS THE GEOGRAPHICAL DISTRIBUTION OF TEAMS.

(B) NOT MORE THAN \$1,000,000.00 FOR GRANTS TO DISTRICTS FOR EVENT REGISTRATIONS, MATERIALS, TRAVEL COSTS, AND OTHER EXPENSES ASSOCIATED WITH THE PREPARATION FOR AND ATTENDANCE AT FIRST TECH CHALLENGE AND FIRST ROBOTICS COMPETITIONS. EACH GRANT RECIPIENT SHALL PROVIDE A LOCAL MATCH FROM OTHER PRIVATE OR LOCAL FUNDS FOR THE FUNDS RECEIVED UNDER THIS SUBDIVISION EQUAL TO AT LEAST 50% OF THE COSTS OF PARTICIPATING IN AN EVENT. THE DEPARTMENT SHALL SET MAXIMUM GRANT AMOUNTS UNDER THIS SUBDIVISION IN A MANNER THAT MAXIMIZES THE NUMBER OF TEAMS THAT WILL BE ABLE TO RECEIVE FUNDING.

(C) NOT MORE THAN \$1,000,000.00 FOR GRANTS TO DISTRICTS FOR AWARDS TO TEAMS THAT ADVANCE TO THE STATE AND WORLD CHAMPIONSHIP COMPETITIONS. THE DEPARTMENT SHALL DETERMINE AN EQUAL AMOUNT PER TEAM FOR THOSE TEAMS THAT ADVANCE TO THE STATE CHAMPIONSHIP AND A SECOND EQUAL AWARD AMOUNT TO THOSE TEAMS THAT ADVANCE TO THE WORLD CHAMPIONSHIP.

Sec. 101. (1) To be eligible to receive state aid under this ~~act~~, **ARTICLE**, not later than the fifth Wednesday after the pupil membership count day and not later than the fifth Wednesday after the supplemental count day, each district superintendent shall submit to the center and the intermediate superintendent, in the form and manner prescribed by the center, the number of pupils enrolled and in regular daily attendance in the district as of the pupil membership count day and as of the supplemental count day, as applicable, for the current school year. In addition, a district maintaining school during the entire year, as provided under section 1561 of the revised school code, MCL 380.1561, shall submit to the center and the intermediate superintendent, in the form and manner prescribed by the center, the number of pupils enrolled and in regular daily attendance in the district for the current school year pursuant to rules promulgated by the superintendent. Not later than the ~~seventh~~ **SIXTH** Wednesday after the pupil membership count day and not later than the sixth Wednesday after the supplemental count day, the district shall certify the data in a form and manner prescribed by the center and file the certified data with the intermediate superintendent. If a district fails to submit and certify the attendance data, as required under this subsection, the center shall notify the department and state aid due to be distributed under this article shall be withheld from the defaulting district immediately, beginning with the next payment after the failure and continuing with each payment until the district complies with this subsection. If a district does not comply with this subsection by the end of the fiscal year, the district forfeits the amount withheld. A person who willfully falsifies a figure or statement in the certified and sworn copy of enrollment shall be punished in the manner prescribed by section 161.

(2) To be eligible to receive state aid under this article, not later than the twenty-fourth Wednesday after the pupil membership count day and not later than the twenty-fourth Wednesday after the supplemental count day, an intermediate district shall submit to the center, in a form and manner prescribed by the center, the audited enrollment and attendance data for the pupils of its constituent districts and of the intermediate district. If an intermediate district fails to submit the audited data as required under this subsection, state aid due to be distributed under this article shall be withheld from the defaulting intermediate district immediately, beginning with the next payment after the failure and continuing with each payment until the intermediate district complies with this subsection. If an intermediate district does not comply with this subsection by the end of the fiscal year, the intermediate district forfeits the amount withheld.

(3) Except as otherwise provided in subsections (11) and (12), all of the following apply to the provision of pupil instruction:

(a) Except as otherwise provided in this section, each district shall provide at least 1,098 hours and, beginning in 2010-2011, the required minimum number of days of pupil instruction. Beginning in 2012-2013, the required minimum number of days of pupil instruction is 170. **BEGINNING IN 2013-2014, THE REQUIRED MINIMUM NUMBER OF DAYS OF PUPIL INSTRUCTION IS 175.** However, ~~beginning in 2010-2011~~, a district shall not provide fewer days of pupil instruction than the district provided for 2009-2010. A district may apply for a waiver under subsection (9) from the requirements of this

subdivision. For 2012-2013 only, if a district is unable to provide the required minimum number of days of pupil instruction because of school closures occurring before April 20, 2013 due to conditions not within the control of school authorities, such as severe storms, fires, epidemics, utility power unavailability, water or sewer failure, or health conditions as defined by the city, county, or state health authorities, but the district does provide at least the required minimum number of hours of pupil instruction, the district is not subject to the minimum number of days of pupil instruction requirement of this subsection. A district that uses the 2012-2013 exception from the minimum number of days of pupil instruction requirement shall submit to the department not later than July 1, 2013, in the form and manner prescribed by the department, a report that details the amount of instructional time that was lost due to school closures and the amount of additional instructional time that was added to compensate; when the additional instructional time was provided; the activities that were carried out and subject areas addressed during the additional instructional time; and other information specified by the department to assess whether appropriate instruction occurred during the additional instructional time. The department shall aggregate and provide these reports to the senate and house standing committees on education.

(b) Except as otherwise provided in this article, a district failing to comply with the required minimum hours and days of pupil instruction under this subsection shall forfeit from its total state aid allocation an amount determined by applying a ratio of the number of hours or days the district was in noncompliance in relation to the required minimum number of hours and days under this subsection. Not later than August 1, the board of each district shall certify to the department the number of hours and days of pupil instruction in the previous school year. If the district did not provide at least the required minimum number of hours and days of pupil instruction under this subsection, the deduction of state aid shall be made in the following fiscal year from the first payment of state school aid. A district is not subject to forfeiture of funds under this subsection for a fiscal year in which a forfeiture was already imposed under subsection (6).

(c) Hours or days lost because of strikes or teachers' conferences shall not be counted as hours or days of pupil instruction.

(d) If a collective bargaining agreement that provides a complete school calendar is in effect for employees of a district as of October 19, 2009, and if that school calendar is not in compliance with this subsection, then this subsection does not apply to that district until after the expiration of that collective bargaining agreement.

(e) Except as otherwise provided in subdivision (f), a district not having at least 75% of the district's membership in attendance on any day of pupil instruction shall receive state aid in that proportion of 1/180 that the actual percent of attendance bears to the specified percentage.

(f) At the request of a district that operates a department-approved alternative education program and that does not provide instruction for pupils in all of grades K to 12, the superintendent may grant a waiver from the requirements of subdivision (e). The waiver shall indicate that an eligible district is subject to the proration provisions of subdivision (e) only if the district does not have at least 50% of the district's membership in attendance on any day of pupil instruction. In order to be eligible for this waiver, a district must maintain records to substantiate its compliance with the following requirements:

(i) The district offers the minimum hours of pupil instruction as required under this section.

(ii) For each enrolled pupil, the district uses appropriate academic assessments to develop an individual education plan that leads to a high school diploma.

(iii) The district tests each pupil to determine academic progress at regular intervals and records the results of those tests in that pupil's individual education plan.

(g) All of the following apply to a waiver granted under subdivision (f):

(i) If the waiver is for a blended model of delivery, a waiver that is granted for the 2011-2012 fiscal year or a subsequent fiscal year remains in effect unless it is revoked by the superintendent.

(ii) If the waiver is for a 100% online model of delivery and the educational program for which the waiver is granted makes educational services available to pupils for a minimum of at least 1,098 hours during a school year and ensures that each pupil participates in the educational program for at least 1,098 hours during a school year, a waiver that is granted for the 2011-2012 fiscal year or a subsequent fiscal year remains in effect unless it is revoked by the superintendent.

(iii) A waiver that is not a waiver described in subparagraph (i) or (ii) is valid for 1 fiscal year and must be renewed annually to remain in effect.

(h) The superintendent shall promulgate rules for the implementation of this subsection.

(4) Except as otherwise provided in this subsection, the first 6 days or the equivalent number of hours for which pupil instruction is not provided because of conditions not within the control of school authorities, such as severe storms, fires, epidemics, utility power unavailability, water or sewer failure, or health conditions as defined by the city, county, or state health authorities, shall be counted as hours and days of pupil instruction. With the approval of the superintendent of public instruction, the department shall count as hours and days of pupil instruction for a fiscal year not more than 6 additional days or the equivalent number of additional hours for which pupil instruction is not provided in a district after April 1 of the applicable school year due to unusual and extenuating occurrences resulting from conditions not within the control of school authorities such as those conditions described in this subsection. Subsequent such hours or days shall not be counted as hours or days of pupil instruction.

(5) A district shall not forfeit part of its state aid appropriation because it adopts or has in existence an alternative scheduling program for pupils in kindergarten if the program provides at least the number of hours required under subsection (3) for a full-time equated membership for a pupil in kindergarten as provided under section 6(4).

(6) In addition to any other penalty or forfeiture under this section, if at any time the department determines that 1 or more of the following ~~has~~**HAVE** occurred in a district, the district shall forfeit in the current fiscal year beginning in the next payment to be calculated by the department a proportion of the funds due to the district under this article that is equal to the proportion below the required minimum number of hours and days of pupil instruction under subsection (3), as specified in the following:

(a) The district fails to operate its schools for at least the required minimum number of hours and days of pupil instruction under subsection (3) in a school year, including hours and days counted under subsection (4).

(b) The board of the district takes formal action not to operate its schools for at least the required minimum number of hours and days of pupil instruction under subsection (3) in a school year, including hours and days counted under subsection (4).

(7) In providing the minimum number of hours and days of pupil instruction required under subsection (3), a district shall use the following guidelines, and a district shall maintain records to substantiate its compliance with the following guidelines:

(a) Except as otherwise provided in this subsection, a pupil must be scheduled for at least the required minimum number of hours of instruction, excluding study halls, or at least the sum of 90 hours plus the required minimum number of hours of instruction, including up to 2 study halls.

(b) The time a pupil is assigned to any tutorial activity in a block schedule may be considered instructional time, unless that time is determined in an audit to be a study hall period.

(c) Except as otherwise provided in this subdivision, a pupil in grades 9 to 12 for whom a reduced schedule is determined to be in the individual pupil's best educational interest must be scheduled for a number of hours equal to at least 80% of the required minimum number of hours of pupil instruction to be considered a full-time equivalent pupil. A pupil in grades 9 to 12 who is scheduled in a 4-block schedule may receive a reduced schedule under this subsection if the pupil is scheduled for a number of hours equal to at least 75% of the required minimum number of hours of pupil instruction to be considered a full-time equivalent pupil.

(d) If a pupil in grades 9 to 12 who is enrolled in a cooperative education program or a special education pupil cannot receive the required minimum number of hours of pupil instruction solely because of travel time between instructional sites during the school day, that travel time, up to a maximum of 3 hours per school week, shall be considered to be pupil instruction time for the purpose of determining whether the pupil is receiving the required minimum number of hours of pupil instruction. However, if a district demonstrates to the satisfaction of the department that the travel time limitation under this subdivision would create undue costs or hardship to the district, the department may consider more travel time to be pupil instruction time for this purpose.

(e) In grades 7 through 12, instructional time that is part of a junior reserve officer training corps (JROTC) program shall be considered to be pupil instruction time regardless of whether the instructor is a certificated teacher if all of the following are met:

(i) The instructor has met all of the requirements established by the United States department of defense and the applicable branch of the armed services for serving as an instructor in the junior reserve officer training corps program.

(ii) The board of the district or intermediate district employing or assigning the instructor complies with the requirements of sections 1230 and 1230a of the revised school code, MCL 380.1230 and 380.1230a, with respect to the instructor to the same extent as if employing the instructor as a regular classroom teacher.

(8) Except as otherwise provided in subsections (11) and (12), the department shall apply the guidelines under subsection (7) in calculating the full-time equivalency of pupils.

(9) Upon application by the district for a particular fiscal year, the superintendent may waive for a district the minimum number of hours and days of pupil instruction requirement of subsection (3) for a department-approved alternative education program or another innovative program approved by the department, including a 4-day school week. If a district applies for and receives a waiver under this subsection and complies with the terms of the waiver, the district is not subject to forfeiture under this section for the specific program covered by the waiver. If the district does not comply with the terms of the waiver, the amount of the forfeiture shall be calculated based upon a comparison of the number of hours and days of pupil instruction actually provided to the minimum number of hours and days of pupil instruction required under subsection (3). Pupils enrolled in a department-approved alternative education program under this subsection shall be reported to the center in a form and manner determined by the center. All of the following apply to a waiver granted under this subsection:

(a) If the waiver is for a blended model of delivery, a waiver that is granted for the 2011-2012 fiscal year or a subsequent fiscal year remains in effect unless it is revoked by the superintendent.

(b) If the waiver is for a 100% online model of delivery and the educational program for which the waiver is granted makes educational services available to pupils for a minimum of at least 1,098 hours during a school year and ensures that each pupil participates in the educational program for at least 1,098 hours during a school year, a waiver that is granted for the 2011-2012 fiscal year or a subsequent fiscal year remains in effect unless it is revoked by the superintendent.

(c) A waiver that is not a waiver described in subdivision (a) or (b) is valid for 1 fiscal year and must be renewed annually to remain in effect.

(10) **A-UNTIL 2014-2015**, A district may count up to 38 hours of qualifying professional development for teachers as hours of pupil instruction. Professional development provided online is allowable and encouraged, as long as the instruction has been approved by the district. The department shall issue a list of approved online professional development providers, which shall

include the Michigan virtual school. As used in this subsection, “qualifying professional development” means professional development that is focused on 1 or more of the following:

- (a) Achieving or improving adequate yearly progress as defined under the no child left behind act of 2001, Public Law 107-110.
- (b) Achieving accreditation or improving a school’s accreditation status under section 1280 of the revised school code, MCL 380.1280.
- (c) Achieving highly qualified teacher status as defined under the no child left behind act of 2001, Public Law 107-110.
- (d) Integrating technology into classroom instruction.
- (e) Maintaining teacher certification.

(11) Subsections (3) and (8) do not apply to a school of excellence that is a cyber school, as defined in section 551 of the revised school code, MCL 380.551, and is in compliance with section 553a of the revised school code, MCL 380.553a.

(12) Subsections (3) and (8) do not apply to eligible pupils enrolled in a dropout recovery program that meets the requirements of section 23a. As used in this subsection, “eligible pupil” means that term as defined in section 23a.

(13) Beginning in 2013, at least every 2 years the superintendent shall review the waiver standards set forth in the pupil accounting and auditing manuals to ensure that the waiver standards and waiver process continue to be appropriate and responsive to changing trends in online learning. The superintendent shall solicit and consider input from stakeholders as part of this review.

Sec. 102. (1) A district or intermediate district receiving money under this act ~~act~~ **ARTICLE** shall not adopt or operate under a deficit budget, and a district or intermediate district shall not incur an operating deficit in a fund during a school fiscal year. A district or intermediate district that has an existing deficit fund balance, that incurs a deficit fund balance in the most recently completed school fiscal year, or that adopts a current year budget that projects a deficit fund balance shall not be allotted or paid a further sum under this ~~act~~ **ARTICLE** until the district or intermediate district submits to the department for approval a budget for the current school fiscal year and a plan to eliminate the district’s or intermediate district’s deficit not later than the end of the second school fiscal year after the deficit was incurred or the budget projecting a deficit was adopted. Withheld state aid payments shall be released after the department approves the deficit ~~reduction~~ **ELIMINATION** plan and ensures that the budget for the current school fiscal year is balanced. After the department approves a district’s or intermediate district’s deficit ~~reduction~~ **ELIMINATION** plan, the district or intermediate district shall post the deficit elimination plan on the district’s or intermediate district’s website.

(2) Not later than March 1 of each year, the department shall prepare a report of deficits incurred or projected by districts and intermediate districts in the immediately preceding fiscal year and the progress made in reducing those deficits and submit the report to the standing committees of the legislature responsible for K-12 education legislation, the appropriations subcommittees of the legislature responsible for K-12 education appropriations, the house and senate fiscal agencies, the state treasurer, and the state budget director. The department also shall submit quarterly interim reports concerning the progress made by districts and intermediate districts in reducing those deficits. On a quarterly basis, the superintendent of public instruction shall publicly present those reports to the appropriations subcommittees of the legislature responsible for K-12 education appropriations.

(3) The amount of the permissible deficit for each school fiscal year shall not exceed the amount of state aid reduced by an executive order during that school fiscal year.

(4) A district or intermediate district that has an existing deficit fund balance, that incurs a deficit fund balance in the most recently completed school fiscal year, or that adopts a current year budget that projects a deficit fund balance shall submit to the department a monthly monitoring report on revenue and expenditures in a form and manner prescribed by the department and shall post these reports on its website.

(5) If a district or intermediate district is not able to comply with the provisions of this section, the district or intermediate district shall submit to the department a plan to eliminate its deficit. Upon approval of the plan submitted, the superintendent of public instruction may continue allotment and payment of funds under this ~~act~~ **ARTICLE**, extend the period of time in which a district or intermediate district has to eliminate its deficit, and set special conditions that the district or intermediate district must meet during the period of the extension. After the department approves a district’s or intermediate district’s deficit ~~reduction~~ **ELIMINATION** plan under this subsection, the district or intermediate district shall post the deficit elimination plan on the district’s or intermediate district’s website.

(6) For the purposes of this section, “deficit fund balance” means that term as defined in the Michigan public school accounting manual published by the department.

Sec. 104. (1) In order to receive state aid under this article, a district shall comply with sections 1249, 1278a, 1278b, 1279, 1279g, and 1280b of the revised school code, MCL 380.1249, 380.1278a, 380.1278b, 380.1279, 380.1279g, and 380.1280b, and 1970 PA 38, MCL 388.1081 to 388.1086. Subject to subsection (2), from the state school aid fund money appropriated in section 11, there is allocated for ~~2012-2013~~ **2013-2014** an amount not to exceed \$26,694,400.00 for payments on behalf of districts for costs associated with complying with those provisions of law. In addition, from the federal funds appropriated in section 11, there is allocated for ~~2012-2013~~ **2013-2014** an amount estimated at \$8,250,000.00, funded from DED-OESE, title VI, state assessment funds, and from DED-OSERS, section 504 of part B of the individuals with disabilities education act, Public Law 94-142, plus any carryover federal funds from previous year appropriations, for the purposes of complying with the federal no child left behind act of 2001, Public Law 107-110.

(2) The results of each test administered as part of the Michigan educational assessment program, including tests administered to high school students, shall include an item analysis that lists all items that are counted for individual pupil scores and the percentage of pupils choosing each possible response.

(3) All federal funds allocated under this section shall be distributed in accordance with federal law and with flexibility provisions outlined in Public Law 107-116, and in the education flexibility partnership act of 1999, Public Law 106-25.

(4) Notwithstanding section 17b, payments on behalf of districts, intermediate districts, and other eligible entities under this section shall be paid on a schedule determined by the department.

(5) As used in this section:

(a) "DED" means the United States department of education.

(b) "DED-OESE" means the DED office of elementary and secondary education.

(c) "DED-OSERS" means the DED office of special education and rehabilitative services.

Sec. 107. (1) From the appropriation in section 11, there is allocated an amount not to exceed \$22,000,000.00 for ~~2012-2013~~ **2013-2014** for adult education programs authorized under this section. Funds allocated under this section are restricted for adult education programs as authorized under this section only. A recipient of funds under this section shall not use those funds for any other purpose.

(2) To be eligible for funding under this section, a program shall employ certificated teachers and qualified administrative staff and shall offer continuing education opportunities for teachers to allow them to maintain certification.

(3) To be eligible to be a participant funded under this section, a person shall be enrolled in an adult basic education program, an adult English as a second language program, a general educational development (G.E.D.) test preparation program, a job- or employment-related program, or a high school completion program, that meets the requirements of this section, and shall meet either of the following, as applicable:

(a) If the individual has obtained a high school diploma or a general educational development (G.E.D.) certificate, the individual meets 1 of the following:

(i) Is less than 20 years of age on September 1 of the school year and is enrolled in the Michigan career and technical institute.

(ii) Is less than 20 years of age on September 1 of the school year, is not attending an institution of higher education, and is enrolled in a job- or employment-related program through a referral by an employer.

(iii) Is enrolled in an English as a second language program.

(iv) Is enrolled in a high school completion program.

(b) If the individual has not obtained a high school diploma or G.E.D. certificate, the individual meets 1 of the following:

(i) Is at least 20 years of age on September 1 of the school year.

(ii) Is at least 16 years of age on September 1 of the school year, has been permanently expelled from school under section 1311(2) or 1311a of the revised school code, MCL 380.1311 and 380.1311a, and has no appropriate alternative education program available through his or her district of residence.

(4) Except as otherwise provided in subsection (5), the money allocated under this section shall be distributed as follows:

(a) For districts and consortia that received payments for ~~2011-2012-2012-2013~~ under this section, the amount allocated to each for ~~2012-2013-2013-2014~~ shall be based on the number of participants served by the district or consortium for 2012-2013, using the amount allocated per full-time equated participant under subsection (7), up to a maximum total allocation under this subsection in an amount equal to the amount the district or consortium received for ~~2011-2012-2012-2013~~ under this section before any reallocations made for ~~2011-2012-2012-2013~~ under subsection (5).

(b) A district or consortium that received funding in ~~2011-2012-2012-2013~~ under this section may operate independently of a consortium or join or form a consortium for ~~2012-2013-2013-2014~~. The allocation for ~~2012-2013-2013-2014~~ to the district or the newly formed consortium under this subsection shall be determined by the department and shall be based on the proportion of the amounts that are attributable to the district or consortium that received funding in ~~2011-2012-2012-2013~~. A district or consortium described in this subdivision shall notify the department of its intention with regard to ~~2012-2013-2013-2014~~ by October 1, ~~2012-2013~~.

(5) A district that operated an adult education program in ~~2011-2012-2012-2013~~ and does not intend to operate a program in ~~2012-2013-2013-2014~~ shall notify the department by October 1, ~~2012-2013~~ of its intention. The money intended to be allocated under this section to a district that does not operate a program in ~~2012-2013-2013-2014~~ and the unspent money originally allocated under this section to a district or consortium that subsequently operates a program at less than the level of funding allocated under subsection (4) and any other unallocated money under this section shall instead be proportionately reallocated to the other districts described in subsection (4)(a) that are operating an adult education program in ~~2012-2013-2013-2014~~ under this section.

(6) The amount allocated under this section per full-time equated participant is \$2,850.00 for a 450-hour program. The amount shall be proportionately reduced for a program offering less than 450 hours of instruction.

(7) An adult basic education program or an adult English as a second language program operated on a year-round or school year basis may be funded under this section, subject to all of the following:

(a) The program enrolls adults who are determined by a department-approved assessment, in a form and manner prescribed by the department, to be below ninth grade level in reading or mathematics, or both, or to lack basic English proficiency.

(b) The program tests individuals for eligibility under subdivision (a) before enrollment and upon completion of the program in compliance with the state-approved assessment policy.

- (c) A participant in an adult basic education program is eligible for reimbursement until 1 of the following occurs:
 - (i) The participant's reading and mathematics proficiency are assessed at or above the ninth grade level.
 - (ii) The participant fails to show progress on 2 successive assessments after having completed at least 450 hours of instruction.
- (d) A funding recipient enrolling a participant in an English as a second language program is eligible for funding according to subsection (11) until the participant meets 1 of the following:
 - (i) The participant is assessed as having attained basic English proficiency as determined by a department-approved assessment.
 - (ii) The participant fails to show progress on 2 successive department-approved assessments after having completed at least 450 hours of instruction. The department shall provide information to a funding recipient regarding appropriate assessment instruments for this program.
- (8) A general educational development (G.E.D.) test preparation program operated on a year-round or school year basis may be funded under this section, subject to all of the following:
 - (a) The program enrolls adults who do not have a high school diploma.
 - (b) The program shall administer a G.E.D. pre-test approved by the department before enrolling an individual to determine the individual's potential for success on the G.E.D. test, and shall administer a post-test upon completion of the program in compliance with the state-approved assessment policy.
 - (c) A funding recipient shall receive funding according to subsection (11) for a participant, and a participant may be enrolled in the program until 1 of the following occurs:
 - (i) The participant passes the G.E.D. test.
 - (ii) The participant fails to show progress on 2 successive department-approved assessments used to determine readiness to take the G.E.D. test after having completed at least 450 hours of instruction.
- (9) A high school completion program operated on a year-round or school year basis may be funded under this section, subject to all of the following:
 - (a) The program enrolls adults who do not have a high school diploma.
 - (b) The program tests participants described in subdivision (a) before enrollment and upon completion of the program in compliance with the state-approved assessment policy.
 - (c) A funding recipient shall receive funding according to subsection (11) for a participant in a course offered under this subsection until 1 of the following occurs:
 - (i) The participant passes the course and earns a high school diploma.
 - (ii) The participant fails to earn credit in 2 successive semesters or terms in which the participant is enrolled after having completed at least 900 hours of instruction.
- (10) A job- or employment-related adult education program operated on a year-round or school year basis may be funded under this section, subject to all of the following:
 - (a) The program enrolls adults referred by their employer who are less than 20 years of age, have a high school diploma, are determined to be in need of remedial mathematics or communication arts skills and are not attending an institution of higher education.
 - (b) The program tests participants described in subdivision (a) before enrollment and upon completion of the program in compliance with the department-approved assessment policy.
 - (c) An individual may be enrolled in this program and the grant recipient shall receive funding according to subsection (11) until 1 of the following occurs:
 - (i) The individual achieves the requisite skills as determined by department-approved assessment instruments.
 - (ii) The individual fails to show progress on 2 successive assessments after having completed at least 450 hours of instruction.
- (11) A funding recipient shall receive payments under this section in accordance with the following:
 - (a) Ninety percent for enrollment of eligible participants.
 - (b) Ten percent for completion of the adult basic education objectives by achieving an increase of at least 1 grade level of proficiency in reading or mathematics; for achieving basic English proficiency, as defined by the department in the adult education guidebook; for obtaining a G.E.D. or passage of 1 or more individual G.E.D. tests; for attainment of a high school diploma or passage of a course required for a participant to attain a high school diploma; or for completion of the course and demonstrated proficiency in the academic skills to be learned in the course, as applicable.
- (12) As used in this section, "participant" means the sum of the number of full-time equated individuals enrolled in and attending a department-approved adult education program under this section, using quarterly participant count days on the schedule described in section 6(7)(b).
- (13) A person who is not eligible to be a participant funded under this section may receive adult education services upon the payment of tuition. In addition, a person who is not eligible to be served in a program under this section due to the program limitations specified in subsection (7), (8), (9), or (10) may continue to receive adult education services in that program upon the payment of tuition. The tuition level shall be determined by the local or intermediate district conducting the program.
- (14) An individual who is an inmate in a state correctional facility shall not be counted as a participant under this section.
- (15) A district shall not commingle money received under this section or from another source for adult education purposes with any other funds of the district. A district receiving adult education funds shall establish a separate ledger account for those

funds. This subsection does not prohibit a district from using general funds of the district to support an adult education or community education program.

(16) A district or intermediate district receiving funds under this section may establish a sliding scale of tuition rates based upon a participant's family income. A district or intermediate district may charge a participant tuition to receive adult education services under this section from that sliding scale of tuition rates on a uniform basis. The amount of tuition charged per participant shall not exceed the actual operating cost per participant minus any funds received under this section per participant. A district or intermediate district may not charge a participant tuition under this section if the participant's income is at or below 200% of the federal poverty guidelines published by the United States department of health and human services.

(17) In order to receive funds under this section, a district shall furnish to the department, in a form and manner determined by the department, all information needed to administer this program and meet federal reporting requirements; shall allow the department or the department's designee to review all records related to the program for which it receives funds; and shall reimburse the state for all disallowances found in the review, as determined by the department.

(18) All intermediate district participant audits of adult education programs shall be performed pursuant to the adult education participant auditing and accounting manuals published by the department.

(19) IT IS THE INTENT OF THE LEGISLATURE TO STUDY ALLOCATING FUNDS UNDER THIS SECTION ON A COMPETITIVE BASIS BEGINNING FOR 2014-2015.

(20) (19)-As used in this section, "department" means the Michigan strategic fund.

Sec. 147. **(1)** The allocation **EACH FISCAL YEAR** for ~~2012-2013~~ **2013-2014 AND FOR 2014-2015** for the public school employees' retirement system pursuant to the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1408, shall be made using the **INDIVIDUAL PROJECTED BENEFIT** entry age normal cost actuarial-method **OF VALUATION** and risk assumptions adopted by the public school employees retirement board and the department of technology, management, and budget.

(2) THE ANNUAL LEVEL PERCENTAGE OF PAYROLL CONTRIBUTION RATES FOR THE 2013-2014 FISCAL YEAR, AS DETERMINED BY THE RETIREMENT SYSTEM, ARE ESTIMATED AS FOLLOWS:

(A) For public school employees who first worked for a public school reporting unit before July 1, 2010 **AND WHO ARE ENROLLED IN THE HEALTH PREMIUM SUBSIDY**, the annual level percentage of payroll contribution rate is estimated at ~~18.62% for pension and at 8.75% for retiree health care for the 2012-2013 fiscal year, unless a different contribution rate is calculated and applied by the office of retirement services pursuant to provisions enacted under Senate Bill No. 1040 of the 96th Legislature.~~ **29.35%, WITH 24.79% PAID DIRECTLY BY THE EMPLOYER.**

(B) For public school employees who first worked for a public school reporting unit on or after July 1, 2010 **AND WHO ARE ENROLLED IN THE HEALTH PREMIUM SUBSIDY**, the annual level percentage of payroll contribution rate is estimated at **29.12%, WITH 24.56% PAID DIRECTLY BY THE EMPLOYER.** ~~17.39% for pension and 8.75% for retiree health care for the 2012-2013 fiscal year, unless a different contribution rate is calculated and applied by the office of retirement services pursuant to provisions enacted under Senate Bill No. 1040 of the 96th Legislature. For public school employees who first worked for a public school reporting unit before July 1, 2010, the annual level percentage of payroll contribution rate is estimated at 22.46% for pension and 8.75% for retiree health care for the 2013-2014 fiscal year, unless a different contribution rate is calculated and applied by the office of retirement services pursuant to provisions enacted under Senate Bill No. 1040 of the 96th Legislature. For public school employees who first worked for a public school reporting unit on or after July 1, 2010, the annual level percentage of payroll contribution rate is estimated at 21.19% for pension and 8.75% for retiree health care for the 2013-2014 fiscal year, unless a different contribution rate is calculated and applied by the office of retirement services pursuant to provisions enacted under Senate Bill No. 1040 of the 96th Legislature. The portion of the contribution rate assigned to districts and intermediate districts for each fiscal year is all of the total percentage points. This~~

(C) FOR PUBLIC SCHOOL EMPLOYEES WHO FIRST WORKED FOR A PUBLIC SCHOOL REPORTING UNIT ON OR AFTER JULY 1, 2010 AND WHO PARTICIPATE IN THE PENSION PLUS PLAN AND IN THE PERSONAL HEALTHCARE FUND, THE ANNUAL LEVEL PERCENTAGE OF PAYROLL CONTRIBUTION RATE IS ESTIMATED AT 28.19%, WITH 23.63% PAID DIRECTLY BY THE EMPLOYER.

(D) FOR PUBLIC SCHOOL EMPLOYEES WHO FIRST WORKED FOR A PUBLIC SCHOOL REPORTING UNIT ON OR AFTER SEPTEMBER 4, 2012, WHO ELECT DEFINED CONTRIBUTION, AND WHO PARTICIPATE IN THE PERSONAL HEALTHCARE FUND, THE ANNUAL LEVEL PERCENTAGE OF PAYROLL CONTRIBUTION RATE IS ESTIMATED AT 25.52%, WITH 20.96% PAID DIRECTLY BY THE EMPLOYER.

(E) FOR PUBLIC SCHOOL EMPLOYEES WHO FIRST WORKED FOR A PUBLIC SCHOOL REPORTING UNIT BEFORE JULY 1, 2010, WHO ELECT DEFINED CONTRIBUTION, AND WHO ARE ENROLLED IN THE HEALTH PREMIUM SUBSIDY, THE ANNUAL LEVEL PERCENTAGE OF PAYROLL CONTRIBUTION RATE IS ESTIMATED AT 26.45%, WITH 21.89% PAID DIRECTLY BY THE EMPLOYER.

(F) FOR PUBLIC SCHOOL EMPLOYEES WHO FIRST WORKED FOR A PUBLIC SCHOOL REPORTING UNIT BEFORE JULY 1, 2010, WHO ELECT DEFINED CONTRIBUTION, AND WHO PARTICIPATE IN THE PERSONAL HEALTHCARE FUND, THE ANNUAL LEVEL PERCENTAGE OF PAYROLL CONTRIBUTION RATE IS ESTIMATED AT 25.52%, WITH 20.96% PAID DIRECTLY BY THE EMPLOYER.

(G) FOR PUBLIC SCHOOL EMPLOYEES WHO FIRST WORKED FOR A PUBLIC SCHOOL REPORTING UNIT BEFORE JULY 1, 2010 AND WHO PARTICIPATE IN THE PERSONAL HEALTHCARE FUND, THE ANNUAL LEVEL PERCENTAGE OF PAYROLL CONTRIBUTION RATE IS ESTIMATED AT 28.42%, WITH 23.86% PAID DIRECTLY BY THE EMPLOYER.

(3) THE ANNUAL LEVEL PERCENTAGE OF PAYROLL CONTRIBUTION RATES FOR THE 2014-2015 FISCAL YEAR, AS DETERMINED BY THE RETIREMENT SYSTEM, ARE ESTIMATED AS FOLLOWS:

(A) FOR PUBLIC SCHOOL EMPLOYEES WHO FIRST WORKED FOR A PUBLIC SCHOOL REPORTING UNIT BEFORE JULY 1, 2010 AND WHO ARE ENROLLED IN THE HEALTH PREMIUM SUBSIDY, THE ANNUAL LEVEL PERCENTAGE OF PAYROLL CONTRIBUTION RATE IS ESTIMATED AT 33.10%, WITH 25.78% PAID DIRECTLY BY THE EMPLOYER.

(B) FOR PUBLIC SCHOOL EMPLOYEES WHO FIRST WORKED FOR A PUBLIC SCHOOL REPORTING UNIT ON OR AFTER JULY 1, 2010 AND WHO ARE ENROLLED IN THE HEALTH PREMIUM SUBSIDY, THE ANNUAL LEVEL PERCENTAGE OF PAYROLL CONTRIBUTION RATE IS ESTIMATED AT 32.02%, WITH 24.70% PAID DIRECTLY BY THE EMPLOYER.

(C) FOR PUBLIC SCHOOL EMPLOYEES WHO FIRST WORKED FOR A PUBLIC SCHOOL REPORTING UNIT ON OR AFTER JULY 1, 2010 AND WHO PARTICIPATE IN THE PERSONAL HEALTHCARE FUND, THE ANNUAL LEVEL PERCENTAGE OF PAYROLL CONTRIBUTION RATE IS ESTIMATED AT 31.51%, WITH 24.19% PAID DIRECTLY BY THE EMPLOYER.

(D) FOR PUBLIC SCHOOL EMPLOYEES WHO FIRST WORKED FOR A PUBLIC SCHOOL REPORTING UNIT ON OR AFTER SEPTEMBER 4, 2012, WHO ELECT DEFINED CONTRIBUTION, AND WHO PARTICIPATE IN THE PERSONAL HEALTHCARE FUND, THE ANNUAL LEVEL PERCENTAGE OF PAYROLL CONTRIBUTION RATE IS ESTIMATED AT 28.28%, WITH 20.96% PAID DIRECTLY BY THE EMPLOYER.

(E) FOR PUBLIC SCHOOL EMPLOYEES WHO FIRST WORKED FOR A PUBLIC SCHOOL REPORTING UNIT BEFORE JULY 1, 2010, WHO ELECT DEFINED CONTRIBUTION, AND WHO ARE ENROLLED IN THE HEALTH PREMIUM SUBSIDY, THE ANNUAL LEVEL PERCENTAGE OF PAYROLL CONTRIBUTION RATE IS ESTIMATED AT 28.79%, WITH 21.47% PAID DIRECTLY BY THE EMPLOYER.

(F) FOR PUBLIC SCHOOL EMPLOYEES WHO FIRST WORKED FOR A PUBLIC SCHOOL REPORTING UNIT BEFORE JULY 1, 2010, WHO ELECT DEFINED CONTRIBUTION, AND WHO PARTICIPATE IN THE PERSONAL HEALTHCARE FUND, THE ANNUAL LEVEL PERCENTAGE OF PAYROLL CONTRIBUTION RATE IS ESTIMATED AT 28.28%, WITH 20.96% PAID DIRECTLY BY THE EMPLOYER.

(G) FOR PUBLIC SCHOOL EMPLOYEES WHO FIRST WORKED FOR A PUBLIC SCHOOL REPORTING UNIT BEFORE JULY 1, 2010 AND WHO PARTICIPATE IN THE PERSONAL HEALTHCARE FUND, THE ANNUAL LEVEL PERCENTAGE OF PAYROLL CONTRIBUTION RATE IS ESTIMATED AT 32.59%, WITH 25.27% PAID DIRECTLY BY THE EMPLOYER.

(4) IN ADDITION TO THE EMPLOYER PAYMENTS DESCRIBED IN SUBSECTIONS (2) AND (3), THE EMPLOYER SHALL PAY THE APPLICABLE CONTRIBUTIONS TO THE TIER 2 PLAN, AS DETERMINED BY THE PUBLIC SCHOOL EMPLOYEES RETIREMENT ACT OF 1979, 1980 PA 300 MCL 38.1301 TO 38.1408.

(5) ~~THE contribution rate reflects~~ RATES IN SUBSECTION (2) REFLECT an amortization period of ~~26-25~~ years for ~~2012-2013-2013-2014~~. The public school employees' retirement system board shall notify each district and intermediate district by February 28 of each fiscal year of the estimated contribution rate for the next fiscal year.

Sec. 147a. From the appropriation in section 11, there is allocated for ~~2012-2013-2013-2014~~ an amount not to exceed ~~\$155,000,000.00~~ **\$100,000,000.00** for payments to participating districts. A district that receives money under this section shall use that money solely for the purpose of offsetting a portion of the retirement contributions owed by the district for the fiscal year ~~ending September 30, 2013.~~ **IN WHICH IT IS RECEIVED.** The amount allocated to each participating district under this section shall be based on each participating district's percentage of the total statewide payroll for all participating districts for the immediately preceding **SCHOOL** fiscal year. As used in this section, "participating district" means a district that is a reporting unit of the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1408, and that reports employees to the Michigan public school employees' retirement system for the applicable fiscal year.

Sec. 147b. ~~(1) From the appropriation in section 11, there is allocated an amount not to exceed \$133,000,000.00 for 2011-2012 and an amount not to exceed \$41,000,000.00 for 2012-2013 for the purposes of this section. The money allocated in this section represents a portion of the year-end school aid fund balance. Money allocated under this section shall be deposited in the MPSERS retirement obligation reform reserve fund.~~

(1) ~~(2)~~ The MPSERS retirement obligation reform reserve fund is created as a separate account within the state school aid fund.

(2) The state treasurer may receive money or other assets from any source for deposit into the MPSERS retirement obligation reform reserve fund. The state treasurer shall direct the investment of the MPSERS retirement obligation reform reserve fund. The state treasurer shall credit to the MPSERS retirement obligation reform reserve fund interest and earnings from the MPSERS retirement obligation reform reserve fund.

(3) MONEY AVAILABLE IN THE MPSERS RETIREMENT OBLIGATION REFORM RESERVE FUND SHALL NOT BE EXPENDED WITHOUT A SPECIFIC APPROPRIATION.

(4) Money in the MPSERS retirement obligation reform reserve fund at the close of the fiscal year shall remain in the MPSERS retirement obligation reform reserve fund and shall not lapse to the state school aid fund or to the general fund. The department of treasury shall be the administrator of the MPSERS retirement obligation reform reserve fund for auditing purposes.

(3) It is the intent of the legislature that the speaker of the house of representatives or the senate majority leader, or both, shall convene a workgroup to examine retirement obligations and potential reforms to the Michigan public school employees' retirement system established under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1408. The chair of the senate appropriations committee and chair of the house appropriations committee, or his or her designee, each shall be a member of the workgroup, and the workgroup shall report to the speaker of the house of representatives or the senate majority leader, as applicable, by February 1, 2012, on reforms identified, timelines for implementing reforms, and estimated costs and savings of the identified reforms.

(5) IF THE CONTRIBUTIONS DESCRIBED IN SECTION 43E OF THE PUBLIC SCHOOL EMPLOYEES RETIREMENT ACT OF 1979, 1980 PA 300, MCL 38.1343E, AS THAT SECTION WAS ADDED BY 2010 PA 75, ARE DETERMINED BY A FINAL ORDER OF A COURT OF COMPETENT JURISDICTION FOR WHICH ALL RIGHTS OF APPEAL HAVE BEEN EXHAUSTED TO BE CONSTITUTIONAL AND IF THE ORDER FOR PRELIMINARY INJUNCTION IN CASE NO. 10-45-MM ISSUED ON JULY 13, 2010 IS LIFTED, THE MONEY PLACED IN A SEPARATE INTEREST BEARING ACCOUNT AS A RESULT OF IMPLEMENTING THE PRELIMINARY INJUNCTION SHALL BE DEPOSITED INTO THE MPSERS RETIREMENT OBLIGATION REFORM RESERVE FUND CREATED IN THIS SECTION TO BE USED SOLELY FOR HEALTH CARE UNFUNDED ACCRUED LIABILITIES.

Sec. 147c. (1) Except as otherwise provided in subsection (2), ~~from FROM THE STATE SCHOOL AID FUND MONEY APPROPRIATED IN SECTION 11, THERE IS ALLOCATED FOR 2012-2013 AN AMOUNT NOT TO EXCEED \$160,000,000.00 FOR PAYMENTS TO DISTRICTS AND INTERMEDIATE DISTRICTS THAT ARE PARTICIPATING ENTITIES OF THE RETIREMENT SYSTEM. FROM the appropriation in section 11, there is allocated for 2012-2013~~ **2013-2014 an amount not to exceed \$130,000,000.00 to \$247,300,000.00 FROM THE STATE SCHOOL AID FUND, AND THERE IS APPROPRIATED FOR 2013-2014 AN AMOUNT NOT TO EXCEED \$156,000,000.00 FROM THE MPSERS RETIREMENT OBLIGATION REFORM RESERVE FUND, FOR PAYMENTS TO DISTRICTS AND INTERMEDIATE DISTRICTS THAT ARE PARTICIPATING ENTITIES OF the Michigan public school employees' retirement system.**

(2) IN ADDITION TO THE ALLOCATION UNDER SUBSECTION (1), FROM THE GENERAL FUND MONEY APPROPRIATED UNDER SECTION 11, THERE IS ALLOCATED FOR PAYMENTS TO DISTRICT LIBRARIES THAT ARE PARTICIPATING ENTITIES OF THE RETIREMENT SYSTEM AN AMOUNT NOT TO EXCEED \$500,000.00 FOR 2012-2013 AND AN AMOUNT NOT TO EXCEED \$1,300,000.00 FOR 2013-2014.

(3) PAYMENTS MADE UNDER THIS SECTION FOR 2012-2013 SHALL BE EQUAL TO THE DIFFERENCE BETWEEN THE UNFUNDED ACTUARIAL ACCRUED LIABILITY CONTRIBUTION RATE AS CALCULATED PURSUANT TO SECTION 41 OF THE PUBLIC SCHOOL EMPLOYEES RETIREMENT ACT OF 1979, 1980 PA 300, MCL 38.1341, AND THE MAXIMUM EMPLOYER RATE OF 20.96% INCLUDED IN SECTION 41 OF THE PUBLIC SCHOOL EMPLOYEES RETIREMENT ACT OF 1979, 1980 PA 300, MCL 38.1341. PAYMENTS MADE UNDER THIS SECTION FOR 2013-2014 SHALL BE EQUAL TO THE DIFFERENCE BETWEEN THE UNFUNDED ACTUARIAL ACCRUED LIABILITY CONTRIBUTION RATE AS CALCULATED pursuant to section 41 of the public school employees' retirement act of 1979, 1980 PA 300, MCL 38.1341, AS CALCULATED WITHOUT TAKING INTO ACCOUNT THE MAXIMUM EMPLOYER RATE OF 20.96% INCLUDED IN SECTION 41 OF THE PUBLIC SCHOOL EMPLOYEES RETIREMENT ACT OF 1979, 1980 PA 300, MCL 38.1341, AND THE MAXIMUM EMPLOYER RATE OF 20.96% INCLUDED IN SECTION 41 OF THE PUBLIC SCHOOL EMPLOYEES RETIREMENT ACT OF 1979, 1980 PA 300, MCL 38.1341.

(2) If section 41 of the public school employees' retirement act of 1979, 1980 PA 300, MCL 38.1341, is not amended by Senate Bill No. 1040 of the 96th Legislature, then the allocation under subsection (1) shall lapse to the state school aid fund unless the legislature takes action to allocate the funding in another manner.

(4) THE AMOUNT ALLOCATED TO EACH PARTICIPATING ENTITY UNDER THIS SECTION SHALL BE BASED ON EACH PARTICIPATING ENTITY'S PROPORTION OF THE TOTAL COVERED PAYROLL FOR THE IMMEDIATELY PRECEDING FISCAL YEAR FOR THE SAME TYPE OF PARTICIPATING ENTITIES. A PARTICIPATING ENTITY THAT RECEIVES FUNDS UNDER THIS SECTION SHALL USE THE FUNDS SOLELY FOR THE PURPOSE OF RETIREMENT CONTRIBUTIONS AS SPECIFIED IN SUBSECTION (5).

(5) EACH PARTICIPATING ENTITY RECEIVING FUNDS UNDER THIS SECTION SHALL FORWARD AN AMOUNT EQUAL TO THE AMOUNT ALLOCATED UNDER SUBSECTION (4) TO THE RETIREMENT SYSTEM IN A FORM, MANNER, AND TIME FRAME DETERMINED BY THE RETIREMENT SYSTEM.

(6) FUNDS ALLOCATED UNDER THIS SECTION SHOULD BE CONSIDERED WHEN COMPARING A DISTRICT'S GROWTH IN TOTAL STATE AID FUNDING FROM 1 FISCAL YEAR TO THE NEXT.

(7) AS USED IN THIS SECTION:

(A) "PARTICIPATING ENTITY" MEANS A DISTRICT, INTERMEDIATE DISTRICT, OR DISTRICT LIBRARY THAT IS A REPORTING UNIT OF THE MICHIGAN PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM UNDER THE PUBLIC SCHOOL EMPLOYEES RETIREMENT ACT OF 1979, 1980 PA 300, MCL 38.1301 TO 38.1437, AND THAT REPORTS EMPLOYEES TO THE MICHIGAN PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM FOR THE APPLICABLE FISCAL YEAR.

(B) "RETIREMENT BOARD" MEANS THE BOARD THAT ADMINISTERS THE RETIREMENT SYSTEM UNDER THE PUBLIC SCHOOL EMPLOYEES RETIREMENT ACT OF 1979, 1980 PA 300, MCL 38.1301 TO 38.1437.

(C) "RETIREMENT SYSTEM" MEANS THE MICHIGAN PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM UNDER THE PUBLIC SCHOOL EMPLOYEES RETIREMENT ACT OF 1979, 1980 PA 300, MCL 38.1301 TO 38.1437.

Sec. 152a. (1) As required by the court in the consolidated cases known as *Adair v State of Michigan*, Michigan supreme court docket nos. 137424 and 137453, from the state school aid fund money appropriated in section 11 there is allocated for ~~2012-2013~~ **2013-2014** an amount not to exceed \$38,000,500.00 to be used solely for the purpose of paying necessary costs related to the state-mandated collection, maintenance, and reporting of data to this state.

(2) From the allocation in subsection (1), the department shall make payments to districts and intermediate districts in an equal amount per pupil based on the total number of pupils in membership in each district and intermediate district. The department shall not make any adjustment to these payments after the final installment payment under section 17b is made.

Sec. 201. (1) Subject to the conditions set forth in this article, the amounts listed in subsections (2), ~~and (4), (5), (6), AND (7)~~ are appropriated for community colleges for the fiscal year ending September 30, ~~2013, 2014~~, from the funds indicated in this section. The following is a summary of the appropriations in subsections (2), ~~and (4), (5), (6), AND (7)~~:

(a) The gross appropriation is ~~\$294,130,500.00~~ **\$335,977,600.00**. After deducting total interdepartmental grants and intradepartmental transfers in the amount of \$0.00, the adjusted gross appropriation is ~~\$294,130,500.00~~ **\$335,977,600.00**.

(b) The sources of the adjusted gross appropriation described in subdivision (a) are as follows:

(i) Total federal revenues, \$0.00.

(ii) Total local revenues, \$0.00.

(iii) Total private revenues, \$0.00.

(iv) Total other state restricted revenues, \$197,614,100.00.

(v) State general fund/general purpose money, ~~\$96,516,400.00~~ **\$138,363,500.00**.

(2) Subject to subsection (3), the amount appropriated for community college operations is ~~\$292,396,900.00~~ **\$298,244,000.00**, allocated as follows:

(a) Alpena Community College, ~~\$5,111,200.00~~ **\$5,221,100.00**.

(b) Bay de Noc Community College, ~~\$5,161,300.00~~ **\$5,263,800.00**.

(c) Delta College, ~~\$13,712,700.00~~ **\$14,022,200.00**.

(d) Glen Oaks Community College, ~~\$2,383,000.00~~ **\$2,434,300.00**.

(e) Gogebic Community College, ~~\$4,233,100.00~~ **\$4,317,500.00**.

(f) Grand Rapids Community College, ~~\$17,054,300.00~~ **\$17,403,500.00**.

(g) Henry Ford Community College, ~~\$20,596,700.00~~ **\$20,997,900.00**.

(h) Jackson Community College, ~~\$11,491,500.00~~ **\$11,723,600.00**.

(i) Kalamazoo Valley Community College, ~~\$11,828,300.00~~ **\$12,086,900.00**.

(j) Kellogg Community College, ~~\$9,289,300.00~~ **\$9,494,000.00**.

(k) Kirtland Community College, ~~\$2,968,300.00~~ **\$3,046,800.00**.

(l) Lake Michigan College, ~~\$5,059,300.00~~ **\$5,162,900.00**.

(m) Lansing Community College, ~~\$29,335,000.00~~ **\$29,935,300.00**.

(n) Macomb Community College, ~~\$31,206,500.00~~ **\$31,837,200.00**.

(o) Mid Michigan Community College, ~~\$4,393,400.00~~ **\$4,504,700.00**.

(p) Monroe County Community College, ~~\$4,223,500.00~~ **\$4,329,900.00**.

(q) Montcalm Community College, ~~\$3,038,500.00~~ **\$3,112,000.00**.

(r) C.S. Mott Community College, ~~\$14,890,400.00~~ **\$15,202,200.00**.

(s) Muskegon Community College, ~~\$8,456,100.00~~ **\$8,628,000.00**.

(t) North Central Michigan College, ~~\$2,979,900.00~~ **\$3,055,400.00**.

(u) Northwestern Michigan College, ~~\$8,624,100.00~~ **\$8,799,300.00**.

(v) Oakland Community College, ~~\$19,977,500.00~~ **\$20,422,900.00**.

(w) St. Clair County Community College, ~~\$6,697,300.00~~ **\$6,839,900.00**.

(x) Schoolcraft College, ~~\$11,800,500.00~~ **\$12,076,700.00**.

(y) Southwestern Michigan College, ~~\$6,269,000.00~~ **\$6,385,400.00**.

(z) Washtenaw Community College, ~~\$12,242,000.00~~ **\$12,573,900.00**.

(aa) Wayne County Community College, ~~\$15,798,500.00~~ **\$16,146,700.00**.

(bb) West Shore Community College, ~~\$2,298,200.00~~ **\$2,342,900.00**.

(cc) Local strategic value, ~~\$1,277,500.00~~ **\$877,100.00**.

(3) The amount appropriated in subsection (2) for community college operations is appropriated from the following:

(a) State school aid fund, \$195,880,500.00.

(b) State general fund/general purpose money, ~~\$96,516,400.00~~ **\$102,363,500.00**.

(4) From the appropriations described in subsection (1), there is appropriated for fiscal year ~~2012-2013~~ **2013-2014** an amount not to exceed \$1,733,600.00 for payments to community colleges from the state school aid fund. A community college that receives money under this subsection shall use that money solely for the purpose of offsetting a portion of the retirement contributions owed by the college for the fiscal year ending September 30, ~~2013~~ **2014**. ~~The amount allocated to each community college under this subsection is as follows:~~ **THE AMOUNT ALLOCATED TO EACH PARTICIPATING COMMUNITY COLLEGE UNDER THIS SECTION SHALL BE BASED ON EACH PARTICIPATING COLLEGE'S TOTAL PAYROLL COVERED BY THE RETIREMENT SYSTEM-COVERED PAYROLL FOR ALL PARTICIPATING COLLEGES FOR THE IMMEDIATELY PRECEDING STATE FISCAL YEAR.**

(a) Alpena Community College, \$30,400.00.

(b) Bay de Noc Community College, \$30,800.00.

(c) Delta College, \$81,400.00.

(d) Glen Oaks Community College, \$14,200.00.

(e) Gogebic Community College, \$25,300.00.

(f) Grand Rapids Community College, \$101,700.00.

(g) Henry Ford Community College, \$123,000.00.

(h) Jackson Community College, \$68,500.00.

(i) Kalamazoo Valley Community College, \$70,400.00.

(j) Kellogg Community College, \$55,300.00.

(k) Kirtland Community College, \$17,500.00.

(l) Lake Michigan College, \$30,200.00.

(m) Lansing Community College, \$175,000.00.

(n) Macomb Community College, \$186,200.00.

(o) Mid Michigan Community College, \$26,100.00.

(p) Monroe County Community College, \$25,000.00.

(q) Montcalm Community College, \$18,000.00.

(r) C.S. Mott Community College, \$88,700.00.

(s) Muskegon Community College, \$50,400.00.

(t) North Central Michigan College, \$17,600.00.

(u) Northwestern Michigan College, \$51,500.00.

(v) Oakland Community College, \$118,800.00.

(w) St. Clair County Community College, \$39,900.00.

(x) Schoolcraft College, \$70,100.00.

(y) Southwestern Michigan College, \$37,500.00.

(z) Washtenaw Community College, \$72,200.00.

(aa) Wayne County Community College, \$94,200.00.

(bb) West Shore Community College, \$13,700.00.

(5) Notwithstanding subsections (1) and (3) of this section as in effect for the fiscal year ending September 30, 2012, the amounts appropriated for community colleges under subsection (2) of this section for the fiscal year ending September 30, 2012 are appropriated from the following funds:

(a) State school aid fund, \$259,629,400.00.

(b) State general fund/general purpose money, \$24,251,100.00.

(5) FROM THE APPROPRIATIONS DESCRIBED IN SUBSECTION (1), THERE IS APPROPRIATED AN AMOUNT NOT TO EXCEED \$31,400,000.00 FROM THE STATE GENERAL FUND FOR PAYMENTS TO COMMUNITY COLLEGES THAT ARE PARTICIPATING ENTITIES OF THE RETIREMENT SYSTEM. ALL OF THE FOLLOWING APPLY TO THE APPROPRIATIONS DESCRIBED IN THIS SUBSECTION:

(A) THE AMOUNT OF A PAYMENT UNDER THIS SUBSECTION SHALL BE THE DIFFERENCE BETWEEN THE UNFUNDED ACTUARIAL ACCRUED LIABILITY CONTRIBUTION RATE AS CALCULATED UNDER SECTION 41 OF THE PUBLIC SCHOOL EMPLOYEES RETIREMENT ACT OF 1979, 1980 PA 300, MCL 38.1341, AND THE MAXIMUM EMPLOYER RATE OF 20.96% UNDER SECTION 41 OF THE PUBLIC SCHOOL EMPLOYEES RETIREMENT ACT OF 1979, 1980 PA 300, MCL 38.1341.

(B) THE AMOUNT ALLOCATED TO EACH COMMUNITY COLLEGE UNDER THIS SUBSECTION SHALL BE BASED ON EACH COMMUNITY COLLEGE'S PERCENTAGE OF THE TOTAL COVERED PAYROLL FOR ALL

COMMUNITY COLLEGES THAT ARE PARTICIPATING COLLEGES IN THE IMMEDIATELY PRECEDING FISCAL YEAR. A COMMUNITY COLLEGE THAT RECEIVES FUNDS UNDER THIS SUBSECTION SHALL USE THE FUNDS SOLELY FOR THE PURPOSE OF RETIREMENT CONTRIBUTIONS UNDER SUBDIVISION (C).

(C) EACH PARTICIPATING COLLEGE RECEIVING FUNDS UNDER THIS SUBSECTION SHALL FORWARD AN AMOUNT EQUAL TO THE AMOUNT ALLOCATED UNDER SUBDIVISION (B) TO THE RETIREMENT SYSTEM IN A FORM AND MANNER DETERMINED BY THE RETIREMENT SYSTEM.

(6) ALL OF THE FOLLOWING APPLY TO COMMUNITY COLLEGES DESCRIBED IN SECTION 12(3) OF THE MICHIGAN RENAISSANCE ZONE ACT, MCL 125.2692:

(A) FROM THE APPROPRIATIONS DESCRIBED IN SUBSECTION (1), THE FOLLOWING AMOUNT IS APPROPRIATED FOR REIMBURSEMENT TO COMMUNITY COLLEGES UNDER SECTION 12(3) OF THE MICHIGAN RENAISSANCE ZONE ACT, MCL 125.2692:

(i) IF THE AMOUNT OF TAX REVENUE LOST BY COMMUNITY COLLEGES AS A RESULT OF THE EXEMPTION OF PROPERTY UNDER THE MICHIGAN RENAISSANCE ZONE ACT IN FISCAL YEAR 2012-2013 IS \$3,500,000.00 OR MORE, \$3,500,000.00 FROM THE STATE GENERAL FUND.

(ii) IF THE AMOUNT OF TAX REVENUE LOST BY COMMUNITY COLLEGES AS A RESULT OF THE EXEMPTION OF PROPERTY UNDER THE MICHIGAN RENAISSANCE ZONE ACT IN FISCAL YEAR 2012-2013 IS LESS THAN \$3,500,000.00, THE ACTUAL AMOUNT OF TAX REVENUE LOST BY THE COMMUNITY COLLEGES.

(B) THE AMOUNT ALLOCATED TO EACH COMMUNITY COLLEGE UNDER THIS SUBSECTION SHALL BE BASED ON THAT COMMUNITY COLLEGE'S PROPORTION OF TOTAL REVENUE LOST BY COMMUNITY COLLEGES IN FISCAL YEAR 2012-2013 AS A RESULT OF THE EXEMPTION OF PROPERTY UNDER THE MICHIGAN RENAISSANCE ZONE ACT.

(C) THE APPROPRIATIONS DESCRIBED IN THIS SUBSECTION SHALL BE MADE TO EACH ELIGIBLE COMMUNITY COLLEGE WITHIN 60 DAYS AFTER THE DEPARTMENT OF TREASURY CERTIFIES TO THE STATE BUDGET DIRECTOR THAT IT HAS RECEIVED ALL NECESSARY INFORMATION TO PROPERLY DETERMINE THE AMOUNTS OF TAX REVENUE LOST BY EACH ELIGIBLE COMMUNITY COLLEGE IN FISCAL YEAR 2012-2013 UNDER SECTION 12 OF THE MICHIGAN RENAISSANCE ZONE ACT, MCL 125.2692.

(7) FROM THE APPROPRIATIONS DESCRIBED IN SUBSECTION (1), THERE IS APPROPRIATED \$1,100,000.00 FROM THE STATE GENERAL FUND, FOR FISCAL YEAR 2013-2014 ONLY, TO THE MICHIGAN COMMUNITY COLLEGE ASSOCIATION, FOR THE PURPOSE OF EXPANDING THE MICHIGAN COMMUNITY COLLEGE VIRTUAL LEARNING COLLABORATIVE. THE MICHIGAN COMMUNITY COLLEGE ASSOCIATION SHALL PROVIDE INFORMATION ON REQUEST TO THE HOUSE AND SENATE SUBCOMMITTEES ON COMMUNITY COLLEGES, THE HOUSE AND SENATE FISCAL AGENCIES, AND THE STATE BUDGET DIRECTOR ON THE USE OF THESE FUNDS UNTIL THE PROJECT IS COMPLETED.

(8) AS USED IN THIS SECTION:

(A) "MICHIGAN RENAISSANCE ZONE ACT" MEANS THE MICHIGAN RENAISSANCE ZONE ACT, 1996 PA 376, MCL 125.2681 TO 125.2696.

(B) "PARTICIPATING COLLEGE" MEANS A COMMUNITY COLLEGE THAT IS A REPORTING UNIT OF THE RETIREMENT SYSTEM AND THAT REPORTS EMPLOYEES TO THE RETIREMENT SYSTEM FOR THE STATE FISCAL YEAR.

(C) "RETIREMENT BOARD" MEANS THE BOARD THAT ADMINISTERS THE RETIREMENT SYSTEM UNDER THE PUBLIC SCHOOL EMPLOYEES RETIREMENT ACT OF 1979, 1980 PA 300, MCL 38.1301 TO 38.1437.

(D) "RETIREMENT SYSTEM" MEANS THE MICHIGAN PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM UNDER THE PUBLIC SCHOOL EMPLOYEES RETIREMENT ACT OF 1979, 1980 PA 300, MCL 38.1301 TO 38.1437.

Sec. 201a. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, ~~2014~~ **2015** for the items listed in section 201. The fiscal year ~~2013-2014~~ **2014-2015** appropriations are anticipated to be the same as those for fiscal year ~~2012-2013~~ **2013-2014**, except that the amounts will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January ~~2013~~ **2014** consensus revenue estimating conference.

SEC. 201B. (1) IN ADDITION TO THE AMOUNTS APPROPRIATED UNDER SECTION 201, \$12,500,000.00 IS APPROPRIATED FOR COMMUNITY COLLEGES FROM STATE GENERAL FUND/GENERAL PURPOSE MONEY FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2013, FOR PAYMENTS TO COMMUNITY COLLEGES THAT ARE PARTICIPATING COMMUNITY COLLEGES OF THE RETIREMENT SYSTEM. PAYMENTS MADE UNDER THIS SECTION SHALL BE EQUAL TO THE DIFFERENCE BETWEEN THE UNFUNDED ACTUARIAL ACCRUED LIABILITY CONTRIBUTION RATE AS CALCULATED UNDER SECTION 41 OF THE PUBLIC SCHOOL EMPLOYEES RETIREMENT ACT OF 1979, 1980 PA 300, MCL 38.1341,

AND THE MAXIMUM EMPLOYER RATE OF 20.96% INCLUDED IN SECTION 41 OF THE PUBLIC SCHOOL EMPLOYEES RETIREMENT ACT OF 1979, 1980 PA 300, MCL 38.1341.

(2) THE AMOUNT ALLOCATED TO EACH COMMUNITY COLLEGE UNDER THIS SECTION SHALL BE BASED ON EACH PARTICIPATING COMMUNITY COLLEGE'S TOTAL PAYROLL COVERED BY THE RETIREMENT SYSTEM IN PROPORTION TO THE TOTAL COVERED PAYROLL FOR THE IMMEDIATELY PRECEDING FISCAL YEAR FOR ALL PARTICIPATING COMMUNITY COLLEGES. A COMMUNITY COLLEGE THAT RECEIVES FUNDS UNDER THIS SECTION SHALL USE THE FUNDS SOLELY FOR THE PURPOSE OF RETIREMENT CONTRIBUTIONS AS SPECIFIED IN SUBSECTION (3).

(3) EACH COMMUNITY COLLEGE THAT RECEIVES FUNDS UNDER THIS SECTION SHALL FORWARD AN AMOUNT EQUAL TO THE AMOUNT IT RECEIVES UNDER SUBSECTION (2) TO THE RETIREMENT SYSTEM IN THE FORM AND MANNER PRESCRIBED BY THE RETIREMENT SYSTEM.

(4) AS USED IN THIS SECTION:

(A) "PARTICIPATING COMMUNITY COLLEGE" MEANS A COMMUNITY COLLEGE THAT IS A REPORTING UNIT OF THE RETIREMENT SYSTEM AND THAT REPORTS EMPLOYEES TO THE MICHIGAN PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM FOR THE APPLICABLE FISCAL YEAR.

(B) "RETIREMENT BOARD" MEANS THE BOARD THAT ADMINISTERS THE RETIREMENT SYSTEM.

(C) "RETIREMENT SYSTEM" MEANS THE MICHIGAN PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM UNDER THE PUBLIC SCHOOL EMPLOYEES RETIREMENT ACT OF 1979, 1980 PA 300, MCL 38.1301 TO 38.1437.

Sec. 206. The funds appropriated in section 201 are appropriated for community colleges with fiscal years ending June 30, ~~2013-2014~~ and shall be paid out of the state treasury and distributed by the state treasurer to the respective community colleges in 11 monthly installments on the sixteenth of each month, or the next succeeding business day, beginning with October 16, ~~2012-2013~~. Each community college shall accrue its July and August ~~2013-2014~~ payments to its institutional fiscal year ending June 30, ~~2013-2014~~. However, if the state budget director determines that a community college failed to submit all verified Michigan community colleges activities classification structure data for school year ~~2011-2012-2012-2013~~ to the workforce development agency by November 1, ~~2012-2013~~, or failed to submit its longitudinal data system data set for school year ~~2011-2012-2012-2013~~ to the center for educational performance and information under section 219, the state treasurer shall withhold the monthly installments from that community college until those data are submitted. The state budget director shall notify the chairs of the house and senate appropriations subcommittees on community colleges at least 10 days before withholding funds from any community college.

Sec. 208. A community college shall not use money appropriated in section 201 to pay for the construction or maintenance of a self-liquidating project. A community college shall comply **WITH SECTION 238 OF THE MANAGEMENT AND BUDGET ACT, 1984 PA 431, MCL 18.1238, AND** with the current use and finance requirements of the joint capital outlay subcommittee (JCOS) for any construction, renovation, or other capital outlay projects pursuant to JCOS policy. The appropriation in section 201 for a community college that fails to comply with JCOS requirements shall be reduced by 1% for each violation.

Sec. 209. (1) Within 30 days after the board of a community college adopts its annual operating budget for the following school fiscal year, or after the board adopts a subsequent revision to that budget, the community college shall make all of the following available through a link on its website homepage:

(a) The annual operating budget and subsequent budget revisions.

(b) A link to the most recent "Activities Classification Structure Manual for Michigan Community Colleges".

(C) GENERAL FUND REVENUE AND EXPENDITURE PROJECTIONS FOR FISCAL YEAR 2013-2014 AND FISCAL YEAR 2014-2015.

(D) A LISTING OF ALL DEBT SERVICE OBLIGATIONS, DETAILED BY PROJECT, ANTICIPATED FISCAL YEAR 2013-2014 PAYMENT OF EACH PROJECT, AND TOTAL OUTSTANDING DEBT.

(E) THE ESTIMATED COST TO THE COMMUNITY COLLEGE RESULTING FROM THE PATIENT PROTECTION AND AFFORDABLE CARE ACT, PUBLIC LAW 111-148, AS AMENDED BY THE HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010, PUBLIC LAW 111-152.

(F) (e)-Links to all of the following for the community college:

(i) The current collective bargaining agreement for each bargaining unit.

(ii) Each health care benefits plan, including, but not limited to, medical, dental, vision, disability, long-term care, or any other type of benefits that would constitute health care services, offered to any bargaining unit or employee of the community college.

(iii) Audits and financial reports for the most recent fiscal year for which they are available.

(iv) A copy of the board of trustees resolution regarding compliance with best practices for the local strategic value component described in section 230(3).

(2) For statewide consistency and public visibility, community colleges must use the icon badge provided by the department of technology, management, and budget consistent with the icon badge developed by the department of education for K-12 school districts. It must appear on the front of each community college's homepage. The size of the icon may be reduced

to 150 x 150 pixels. ~~To be in compliance with this section, all data elements defined in this section must be available on the college's homepage by December 31, 2012. Each community college shall notify the state budget office when all data elements defined in this section are made available on its website.~~

(3) The state budget director shall determine whether a community college has complied with this section. The state budget director may withhold a community college's monthly installments described in section 206 until the community college complies with this section. The state budget director shall notify the chairs of the house and senate appropriations subcommittee on community colleges at least 10 days before withholding funds from any community college.

(4) Each community college shall report the following information to the senate and house appropriations subcommittees on community colleges, the senate and house fiscal agencies, and the state budget office by November 15, ~~2012~~, **2013**, and post that information on the internet website required under subsection (1):

- (a) Budgeted fiscal year ~~2012-2013~~ **2013-2014** general fund revenue from tuition and fees.
- (b) Budgeted fiscal year ~~2012-2013~~ **2013-2014** general fund revenue from state appropriations.
- (c) Budgeted fiscal year ~~2012-2013~~ **2013-2014** general fund revenue from property taxes.
- (d) Budgeted fiscal year ~~2012-2013~~ **2013-2014** total general fund revenue.
- (e) Budgeted fiscal year ~~2012-2013~~ **2013-2014** total general fund expenditures.

Sec. 210. (1) Recognizing the critical importance of education in strengthening Michigan's workforce, the legislature encourages each community college to explore ways of increasing collaboration and cooperation with 4-year universities, particularly in the areas related to training, instruction, and program articulation.

(2) Recognizing the central role of community colleges in responding to local employment needs and challenges, community colleges shall develop and continue efforts to collaborate with local employers and students to identify local employment needs and strategies to meet them.

(3) Community colleges are encouraged to collaborate with each other on innovations to identify and meet local employment needs.

(4) COMMUNITY COLLEGES ARE ENCOURAGED TO WORK WITH UNIVERSITIES TO DEVELOP EQUIVALENCY STANDARDS OF CORE COLLEGE COURSES AND IDENTIFY EQUIVALENT COURSES OFFERED BY POSTSECONDARY INSTITUTIONS.

SEC. 210B. (1) IT IS THE INTENT OF THE LEGISLATURE THAT THE MICHIGAN ASSOCIATION OF COLLEGIATE REGISTRARS AND ADMISSIONS OFFICERS IMPLEMENT ANY AGREEMENT OR AGREEMENTS AMONG THE COMMUNITY COLLEGES AND UNIVERSITIES CONCERNING THE TRANSFERABILITY OF COLLEGE COURSES RESULTING FROM THE RECOMMENDATIONS OF THE COMMITTEE CREATED UNDER FORMER SECTION 210A.

(2) IT IS THE INTENT OF THE LEGISLATURE THAT THE MICHIGAN ASSOCIATION OF COLLEGIATE REGISTRARS AND ADMISSIONS OFFICERS, THE MICHIGAN COMMUNITY COLLEGE ASSOCIATION, AND THE PRESIDENTS COUNCIL, STATE UNIVERSITIES OF MICHIGAN SHALL TOGETHER SUBMIT AN IMPLEMENTATION UPDATE REPORT TO THE SENATE AND HOUSE APPROPRIATIONS SUBCOMMITTEES ON COMMUNITY COLLEGES AND HIGHER EDUCATION, THE SENATE AND HOUSE FISCAL AGENCIES, AND THE STATE BUDGET DIRECTOR BY MARCH 1, 2014.

Sec. 224. ~~Upon request,~~ A community college shall **USE THE P-20 LONGITUDINAL DATA SYSTEM TO** inform interested Michigan high schools of the aggregate academic status of its students for the previous academic year, in a manner prescribed by the Michigan community college association and in cooperation with the Michigan association of secondary school principals. Community colleges shall cooperate with the center for educational performance and information to design and implement a systematic approach for accomplishing this work.

Sec. 225. Each community college shall report to the house and senate fiscal agencies, the state budget director, and the workforce development agency by August 31, ~~2012~~, **2013**, the tuition and mandatory fees paid by a full-time in-district student and a full-time out-of-district student as established by the college governing board for the ~~2011-2012~~ **2013-2014** academic year. This report should also include the annual cost of attendance based on a full-time course load of 30 credits. Each community college shall also report any revisions to the reported ~~2011-2012~~ **2012-2013 OR 2013-2014** academic year tuition and mandatory fees adopted by the college governing board to the house and senate fiscal agencies, the state budget director, and the workforce development agency within 15 days of being adopted.

Sec. 229. (1) It is the intent of the legislature that each community college that receives an appropriation in section 201 include in its admission application process a specific question as to whether an applicant for admission is a veteran, an active member of the military, a member of the national guard or military reserves, or the spouse or dependent of a veteran, active member of the military, or member of the national guard or military reserves, in order to more quickly identify potential educational assistance available to that applicant.

(2) IT IS THE INTENT OF THE LEGISLATURE THAT EACH PUBLIC COMMUNITY COLLEGE THAT RECEIVES AN APPROPRIATION IN SECTION 201 SHALL WORK WITH THE HOUSE AND SENATE COMMUNITY COLLEGE SUBCOMMITTEES, THE MICHIGAN COMMUNITY COLLEGE ASSOCIATION, AND VETERANS GROUPS TO REVIEW THE ISSUE OF IN-DISTRICT TUITION FOR VETERANS OF THIS STATE WHEN DETERMINING TUITION RATES AND FEES.

(3) As used in this section, “veteran” means an honorably discharged veteran entitled to educational assistance under the provisions of section 5003 of the post-911 veterans educational assistance act of 2008, 38 USC 3301 to 3324.

Sec. 229a. Included in the fiscal year ~~2012-2013~~ **2013-2014** appropriations for the department of technology, management, and budget are appropriations to provide funding for the state share of costs for previously constructed capital projects for community colleges. Those appropriations for state building authority rent represent additional state general fund support for community colleges, and the following is an estimate of the amount of that support to each community college:

- (a) Alpena Community College, ~~\$428,100.00~~ **\$434,500.00.**
- (b) Bay de Noc Community College, ~~\$618,000.00~~ **\$644,500.00.**
- (c) Delta College, ~~\$2,610,000.00~~ **\$2,877,700.00.**
- (d) Glen Oaks Community College, ~~\$123,000.00~~ **\$124,900.00.**
- (e) Gogebic Community College, ~~\$60,000.00~~ **\$78,100.00.**
- (f) Grand Rapids Community College, ~~\$1,675,000.00~~ **\$1,700,400.00.**
- (g) Henry Ford Community College, ~~\$1,110,000.00~~ **\$1,126,800.00.**
- (h) Jackson Community College, ~~\$1,563,000.00~~ **\$1,809,500.00.**
- (i) Kalamazoo Valley Community College, ~~\$1,467,000.00~~ **\$1,489,300.00.**
- (j) Kellogg Community College, ~~\$520,000.00~~ **\$527,900.00.**
- (k) Kirtland Community College, ~~\$363,300.00~~ **\$368,800.00.**
- (l) Lake Michigan College, ~~\$340,000.00~~ **\$345,200.00.**
- (m) Lansing Community College, ~~\$384,000.00~~ **\$617,600.00.**
- (n) Macomb Community College, ~~\$1,313,100.00~~ **\$1,332,900.00.**
- (o) Mid Michigan Community College, ~~\$915,000.00~~ **\$928,900.00.**
- (p) Monroe County Community College, ~~\$1,355,000.00~~ **\$1,375,600.00.**
- (q) Montcalm Community College, ~~\$756,000.00~~ **\$1,015,700.00.**
- (r) C.S. Mott Community College, ~~\$1,803,000.00~~ **\$1,830,400.00.**
- (s) Muskegon Community College, ~~\$198,000.00~~ **\$201,000.00.**
- (T) NORTH CENTRAL MICHIGAN COLLEGE, \$476,300.00.**
- (U) (t)-Northwestern Michigan College, \$1,305,000.00-\$1,324,800.00.**
- (V) (u)-Oakland Community College, \$465,000.00-\$472,100.00.**
- (W) (v)-St. Clair County Community College, \$356,100.00-\$361,400.00.**
- (X) (w)-Schoolcraft College, \$1,546,100.00-\$1,569,500.00.**
- (Y) (x)-Southwestern Michigan College, \$530,600.00-\$538,600.00.**
- (Z) (y)-Washtenaw Community College, \$1,993,000.00-\$2,023,100.00.**
- (AA) (z)-Wayne County Community College, \$1,890,000.00-\$1,918,700.00.**
- (BB) (aa)-West Shore Community College, \$577,000.00-\$585,800.00.**

SEC. 229B. (1) THE DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET, AFTER CONSULTATION WITH THE UNEMPLOYMENT INSURANCE AGENCY IN THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, THE WORKFORCE DEVELOPMENT AGENCY, AND COMMUNITY COLLEGES, SHALL PREPARE A REPORT ON THE FEASIBILITY OF PROVIDING ACCURATE INFORMATION ON STUDENT EDUCATIONAL OUTCOMES IN THE EMPLOYMENT MARKET, INCLUDING ALL OF THE FOLLOWING INFORMATION:

(A) THE NUMBER OF STUDENTS WHO SUCCESSFULLY COMPLETED A SKILLED TRADES PROGRAM AND OBTAINED AN APPRENTICESHIP OR JOB IN A FIELD RELATED TO THAT SKILLED TRADES PROGRAM IN FISCAL YEAR 2012-2013.

(B) THE NUMBER OF STUDENTS DESCRIBED IN SUBDIVISION (A) WHO ARE VETERANS OF THE UNITED STATES ARMED FORCES.

(2) BY SEPTEMBER 1, 2014, THE DEPARTMENT SHALL SUBMIT THE REPORT DESCRIBED IN SUBSECTION (1) TO THE SENATE AND HOUSE APPROPRIATIONS SUBCOMMITTEES ON COMMUNITY COLLEGES AND THE SENATE AND HOUSE FISCAL AGENCIES.

(3) AS USED IN THIS SECTION, “SKILLED TRADES PROGRAM” MEANS AN ACADEMIC PROGRAM CATEGORIZED IN THE UNITED STATES DEPARTMENT OF EDUCATION CLASSIFICATION OF INSTRUCTIONAL PROGRAM CODES AS 01, 46, 47, 48, OR 49.

Sec. 230. (1) It is the intent of the legislature that the recommendations and performance measures developed by the performance indicators task force formed under section 242 of 2005 PA 154 be reviewed and more fully implemented for distribution of state funding to community colleges in future years.

(2) Any additional funding provided to community college operations under section 201(2) in fiscal year ~~2012-2013~~ **2013-2014** that exceeds the amounts appropriated for operations in fiscal year ~~2011-2012~~ **2012-2013** is allocated solely for the purpose of offsetting a portion of the retirement contributions owed by the college for the fiscal year ending September 30, 2013. The additional funding ~~2012-2013~~ **2013-2014** is distributed based on the following formula:

- (a) Allocated proportionate to fiscal year ~~2011-2012~~ **2012-2013** base appropriations, 50%.

- (b) Based on contact hour equated students, 10%.
- (c) Based on administrative costs, 7.5%.
- (d) Based on a weighted degree formula as provided for in the 2006 recommendations of the performance indicators task force, 17.5%.

(e) Based on the local strategic value component, as developed in cooperation with the Michigan community college association and described in subsection (3), 15%.

(3) The appropriation in section 201(2)(cc) for local strategic value shall be allocated to each community college that certifies to the state budget director, through a board of trustees resolution on or before November 1, ~~2012~~, **2013**, that the college has met 4 out of 5 best practices listed in each category described in subsection (4). The resolution shall provide specifics as to how the community college meets each best practice measure within each category. One-third of funding available under the strategic value component shall be allocated to each category described in subsection (4). Amounts distributed under local strategic value shall be on a proportionate basis to each college's fiscal year ~~2011-2012~~ **2012-2013** operations funding. Payments to community colleges that qualify for local strategic value funding shall be distributed with the November installment payment described in section 206.

(4) For purposes of subsection (3), the following categories of best practices reflect functional activities of community colleges that have strategic value to the local communities and regional economies:

(a) For Category A, economic development and business or industry partnerships, the following:

- (i) The community college has active partnerships with local employers including hospitals and health care providers.
- (ii) The community college provides customized on-site training for area companies, employees, or both.
- (iii) The community college supports entrepreneurship through a small business assistance center or other training or consulting activities targeted toward small businesses.

(iv) The community college supports technological advancement through industry partnerships, incubation activities, or operation of a Michigan technical education center or other advanced technology center.

(v) The community college has active partnerships with local or regional workforce and economic development agencies.

(b) For Category B, educational partnerships, the following:

(i) The community college has active partnerships with regional high schools, intermediate school districts, and career-tech centers to provide instruction through dual enrollment, direct credit, middle college, or academy programs.

(ii) The community college hosts, sponsors, or participates in enrichment programs for area K-12 students, such as college days, summer or after-school programming, or science Olympiad.

(iii) The community college provides, supports, or participates in programming to promote successful transitions to college for traditional age students, including grant programs such as talent search, upward bound, or other activities to promote college readiness in area high schools and community centers.

(iv) The community college provides, supports, or participates in programming to promote successful transitions to college for new or reentering adult students, such as adult basic education, GED preparation, GED testing, or recruiting, advising, or orientation activities specific to adults.

(v) The community college has active partnerships with regional 4-year colleges and universities to promote successful transfer, such as articulation, 2+2, or reverse transfer agreements or operation of a university center.

(c) For Category C, community services, the following:

(i) The community college provides continuing education programming for leisure, wellness, personal enrichment, or professional development.

(ii) The community college operates or sponsors opportunities for community members to engage in activities that promote leisure, wellness, cultural or personal enrichment such as community sports teams, theater or musical ensembles, or artist guilds.

(iii) The community college operates public facilities to promote cultural, educational, or personal enrichment for community members, such as libraries, computer labs, performing arts centers, museums, art galleries, or television or radio stations.

(iv) The community college operates public facilities to promote leisure or wellness activities for community members, including gymnasiums, athletic fields, tennis courts, fitness centers, hiking or biking trails, or natural areas.

(v) The community college promotes, sponsors, or hosts community service activities for students, staff, or community members.

Sec. 236. (1) Subject to the conditions set forth in this article, the amounts listed in subsections (2) to ~~(7)~~ **(6)** are appropriated for higher education for the fiscal year ending September 30, ~~2013~~, **2014**, from the funds indicated in this section. The following is a summary of the appropriations in subsections (2) to ~~(7)~~ **(6)**:

(a) The gross appropriation is ~~\$1,399,220,400.00~~, **\$1,430,573,500.00**. After deducting total interdepartmental grants and intradepartmental transfers in the amount of \$0.00, the adjusted gross appropriation is ~~\$1,399,220,400.00~~, **\$1,430,573,500.00**.

(b) The sources of the adjusted gross appropriation described in subdivision (a) are as follows:

(i) Total federal revenues, \$97,026,400.00.

(ii) Total local revenues, \$0.00.

(iii) Total private revenues, \$0.00.

(iv) Total other state restricted revenues, \$200,565,700.00.

- (v) State general fund/general purpose money, ~~\$1,101,628,300.00~~ **\$1,132,981,400.00**.
- (2) Amounts appropriated for public universities are as follows:
 - (a) The appropriation for Central Michigan University is ~~\$69,575,300.00, \$68,108,900.00~~ **\$73,486,600.00, \$71,352,300.00** for operations and ~~\$1,466,400.00~~ **\$2,134,300.00** for performance funding, appropriated from the following:
 - (i) State school aid fund, \$11,284,600.00.
 - (ii) State general fund/general purpose money, ~~\$58,290,700.00~~ **\$62,202,000.00**.
 - (b) The appropriation for Eastern Michigan University is ~~\$66,297,500.00, \$64,619,100.00~~ **\$67,255,600.00, \$66,466,700.00** for operations and ~~\$1,678,400.00~~ **\$788,900.00** for performance funding, appropriated from the following:
 - (i) State school aid fund, \$10,706,400.00.
 - (ii) State general fund/general purpose money, ~~\$55,591,100.00~~ **\$56,549,200.00**.
 - (c) The appropriation for Ferris State University is ~~\$42,981,400.00, \$41,324,300.00~~ **\$45,602,600.00, \$44,250,700.00** for operations and ~~\$1,657,100.00~~ **\$1,351,900.00** for performance funding, appropriated from the following:
 - (i) State school aid fund, \$6,846,800.00.
 - (ii) State general fund/general purpose money, ~~\$36,134,600.00~~ **\$38,755,800.00**.
 - (d) The appropriation for Grand Valley State University is ~~\$55,097,500.00, \$52,677,400.00~~ **\$57,765,100.00, \$55,436,000.00** for operations and ~~\$2,420,100.00~~ **\$2,329,100.00** for performance funding, appropriated from the following:
 - (i) State school aid fund, \$8,727,800.00.
 - (ii) State general fund/general purpose money, ~~\$46,369,700.00~~ **\$49,037,300.00**.
 - (e) The appropriation for Lake Superior State University is ~~\$11,030,700.00, \$10,789,500.00~~ **\$12,226,500.00, \$12,046,100.00** for operations and ~~\$241,200.00~~ **\$180,400.00** for performance funding, appropriated from the following:
 - (i) State school aid fund, \$1,787,600.00.
 - (ii) State general fund/general purpose money, ~~\$9,243,100.00~~ **\$10,438,900.00**.
 - (f) The appropriation for Michigan State University is ~~\$298,733,800.00, \$241,120,800.00~~ **\$305,775,000.00, \$245,037,000.00** for operations, ~~\$3,408,400.00~~ **\$4,449,300.00** for performance funding, and ~~\$54,204,600.00~~ **\$30,243,900.00** for MSU AgBioResearch, and **\$26,044,800.00 FOR MSU extension, activities**, appropriated from the following:
 - (i) State school aid fund, \$39,949,900.00.
 - (ii) State general fund/general purpose money, ~~\$258,783,900.00~~ **\$265,825,100.00**.
 - (g) The appropriation for Michigan Technological University is ~~\$42,409,900.00, \$40,733,600.00~~ **\$43,451,900.00, \$42,579,100.00** for operations and ~~\$1,676,300.00~~ **\$872,800.00** for performance funding, appropriated from the following:
 - (i) State school aid fund, \$6,748,900.00.
 - (ii) State general fund/general purpose money, ~~\$35,661,000.00~~ **\$36,703,000.00**.
 - (h) The appropriation for Northern Michigan University is ~~\$40,348,800.00, \$38,367,400.00~~ **\$41,719,800.00, \$40,856,600.00** for operations and ~~\$1,981,400.00~~ **\$863,200.00** for performance funding, appropriated from the following:
 - (i) State school aid fund, \$6,356,900.00.
 - (ii) State general fund/general purpose money, ~~\$33,991,900.00~~ **\$35,362,900.00**.
 - (i) The appropriation for Oakland University is ~~\$44,033,300.00, \$43,145,000.00~~ **\$45,634,800.00, \$44,964,100.00** for operations and ~~\$888,300.00~~ **\$670,700.00** for performance funding, appropriated from the following:
 - (i) State school aid fund, \$7,148,400.00.
 - (ii) State general fund/general purpose money, ~~\$36,884,900.00~~ **\$38,486,400.00**.
 - (j) The appropriation for Saginaw Valley State University is ~~\$25,487,500.00, \$23,561,500.00~~ **\$25,982,800.00, \$25,656,700.00** for operations and ~~\$1,926,000.00~~ **\$326,100.00** for performance funding, appropriated from the following:
 - (i) State school aid fund, \$3,903,800.00.
 - (ii) State general fund/general purpose money, ~~\$21,583,700.00~~ **\$22,079,000.00**.
 - (k) The appropriation for University of Michigan - Ann Arbor is ~~\$273,056,700.00, \$268,803,300.00~~ **\$279,108,700.00, \$274,156,700.00** for operations and ~~\$4,253,400.00~~ **\$4,952,000.00** for performance funding, appropriated from the following:
 - (i) State school aid fund, \$44,536,300.00.
 - (ii) State general fund/general purpose money, ~~\$228,520,400.00~~ **\$234,572,400.00**.
 - (l) The appropriation for University of Michigan - Dearborn is ~~\$21,898,800.00, \$21,016,300.00~~ **\$22,503,700.00, \$22,237,300.00** for operations and ~~\$882,500.00~~ **\$266,400.00** for performance funding, appropriated from the following:
 - (i) State school aid fund, \$3,482,100.00.
 - (ii) State general fund/general purpose money, ~~\$18,416,700.00~~ **\$19,021,600.00**.
 - (m) The appropriation for University of Michigan - Flint is ~~\$19,103,500.00, \$17,762,400.00~~ **\$19,928,100.00, \$19,526,600.00** for operations and ~~\$1,341,100.00~~ **\$401,500.00** for performance funding, appropriated from the following:
 - (i) State school aid fund, \$2,942,900.00.
 - (ii) State general fund/general purpose money, ~~\$16,160,600.00~~ **\$16,985,200.00**.
 - (n) The appropriation for Wayne State University is ~~\$183,229,100.00, \$182,036,900.00~~ **\$183,933,000.00, \$183,398,300.00** for operations and ~~\$1,192,200.00~~ **\$534,700.00** for performance funding, appropriated from the following:
 - (i) State school aid fund, \$30,160,600.00.
 - (ii) State general fund/general purpose money, ~~\$153,068,500.00~~ **\$153,772,400.00**.

(o) The appropriation for Western Michigan University is ~~\$95,318,300.00, \$93,168,300.00~~ **\$97,235,200.00, \$95,487,500.00** for operations and ~~\$2,150,000.00~~ **\$1,747,700.00** for performance funding, appropriated from the following:

(i) State school aid fund, \$15,436,500.00.

(ii) State general fund/general purpose money, ~~\$79,881,800.00~~ **\$81,798,700.00**.

~~(3) In addition to the amounts described in subsection (2), \$9,054,200.00 in tuition restraint funding is appropriated for university operations from general fund/general purpose money. The amount allocated to each public university is determined in the manner provided in section 265.~~

~~(3) (4) The amount appropriated for Michigan public school employees' retirement system reimbursement is \$446,200.00,~~ **\$2,446,200.00, \$446,200.00** appropriated from the state school aid fund **AND \$2,000,000.00 APPROPRIATED FROM GENERAL FUND/GENERAL PURPOSE MONEY.**

~~(4) (5) The amount appropriated for state and regional programs is \$200,000.00,~~ **\$2,200,000.00** appropriated from general fund/general purpose money and allocated as follows:

(A) COLLEGE ACCESS PROGRAM, \$2,000,000.00.

~~(B) (a) Higher education database modernization and conversion, \$105,000.00.~~

~~(C) (b) Midwestern higher education compact, \$95,000.00.~~

~~(5) (6) The amount appropriated for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks program is \$2,691,500.00, appropriated from general fund/general purpose money and allocated as follows:~~

~~(a) Select student support services, \$1,956,100.00.~~

~~(b) Michigan college/university partnership program, \$586,800.00.~~

~~(c) Morris Hood, Jr. educator development program, \$148,600.00.~~

~~(6) (7) Subject to subsection (8), (7), the amount appropriated for grants and financial aid is \$98,226,400.00,~~ **\$101,626,400.00**, allocated as follows:

~~(a) State competitive scholarships, \$18,361,700.00.~~

~~(b) Tuition grants, \$31,664,700.00.~~

~~(c) Tuition incentive program, \$43,800,000.00,~~ **\$47,000,000.00.**

~~(d) Children of veterans and officer's survivor tuition grant programs, \$1,200,000.00,~~ **\$1,400,000.00.**

~~(e) Project GEAR-UP, \$3,200,000.00.~~

~~(7) (8) The money appropriated in subsection (7) (6) for grants and financial aid is appropriated from the following:~~

~~(a) Federal revenues under the United States department of education, office of elementary and secondary education, GEAR-UP program, \$3,200,000.00.~~

~~(b) Federal revenues under the social security act, temporary assistance for needy families, \$93,826,400.00.~~

~~(c) Contributions to children of veterans tuition grant program, \$100,000.00.~~

~~(d) State general fund/general purpose money, \$1,100,000.00,~~ **\$4,500,000.00.**

Sec. 236a. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, ~~2014~~ **2015** for the items listed in section 236. The fiscal year ~~2013-2014~~ **2014-2015** appropriations are anticipated to be the same as those for fiscal year ~~2012-2013~~, **2013-2014**, except that the amounts will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January ~~2013~~ **2014** consensus revenue estimating conference.

Sec. 236b. In addition to the funds appropriated in section 236, there is appropriated for grants and financial aid in fiscal year ~~2012-2013~~ **2013-2014** an amount not to exceed \$6,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393, for another purpose under this article.

SEC. 236C. IN ADDITION TO THE FUNDS APPROPRIATED FOR FISCAL YEAR 2013-2014 IN SECTION 236, APPROPRIATIONS TO THE DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET IN THE ACT PROVIDING GENERAL APPROPRIATIONS FOR FISCAL YEAR 2013-2014 FOR STATE BUILDING AUTHORITY RENT, TOTALING AN ESTIMATED \$125,370,600.00, PROVIDE FUNDING FOR THE STATE SHARE OF COSTS FOR PREVIOUSLY CONSTRUCTED CAPITAL PROJECTS FOR STATE UNIVERSITIES. THESE APPROPRIATIONS FOR STATE BUILDING AUTHORITY RENT REPRESENT ADDITIONAL STATE GENERAL FUND SUPPORT PROVIDED TO PUBLIC UNIVERSITIES, AND THE FOLLOWING IS AN ESTIMATE OF THE AMOUNT OF THAT SUPPORT TO EACH UNIVERSITY:

(A) CENTRAL MICHIGAN UNIVERSITY, \$9,155,600.00.

(B) EASTERN MICHIGAN UNIVERSITY, \$5,234,800.00.

(C) FERRIS STATE UNIVERSITY, \$6,360,600.00.

(D) GRAND VALLEY STATE UNIVERSITY, \$4,277,000.00.

(E) LAKE SUPERIOR STATE UNIVERSITY, \$915,600.00.

(F) MICHIGAN STATE UNIVERSITY, \$16,194,400.00.

(G) MICHIGAN TECHNOLOGICAL UNIVERSITY, \$7,692,200.00.

(H) NORTHERN MICHIGAN UNIVERSITY, \$8,062,600.00.

(I) OAKLAND UNIVERSITY, \$10,791,500.00.

(J) SAGINAW VALLEY STATE UNIVERSITY, \$9,833,700.00.

(K) UNIVERSITY OF MICHIGAN - ANN ARBOR, \$9,212,000.00.

(L) UNIVERSITY OF MICHIGAN - DEARBORN, \$6,332,400.00.

(M) UNIVERSITY OF MICHIGAN - FLINT, \$2,871,400.00.

(N) WAYNE STATE UNIVERSITY, \$13,079,500.00.

(O) WESTERN MICHIGAN UNIVERSITY, \$15,357,300.00.

Sec. 241. (1) Subject to section 265a, the funds appropriated in section 236 to public universities shall be paid out of the state treasury and distributed by the state treasurer to the respective institutions in 11 equal monthly installments on the sixteenth of each month, or the next succeeding business day, beginning with October 16, 2012-**2013**. Except for Wayne State University, each institution shall accrue its July and August 2013-**2014** payments to its institutional fiscal year ending June 30, 2013-**2014**.

(2) All public universities shall submit higher education institutional data inventory (HEIDI) data and associated financial and program information requested by and in a manner prescribed by the state budget director. For public universities with fiscal years ending June 30, 2012-**2013**, these data shall be submitted to the state budget director by October 15, 2012-**2013**. Public universities with a fiscal year ending September 30, 2012-**2013** shall submit preliminary HEIDI data by November 15, 2012-**2013** and final data by December 15, 2012-**2013**. If a public university fails to submit HEIDI data and associated financial aid program information in accordance with this reporting schedule, the state treasurer ~~shall~~ **MAY** withhold the monthly installments under subsection (1) to the public university until those data are submitted.

Sec. 244. A public university receiving funds in section 236 shall cooperate with all measures taken by the state to develop, operate, and maintain the statewide P-20 education-longitudinal data system described in section 94a. If the state budget director finds that a university has not complied with this section, the state budget director is authorized to withhold the monthly installments provided to that university under section 236 until he or she finds the university has complied with this section.

Sec. 245. (1) Within 30 days after the board of a public university adopts its annual operating budget for the following school fiscal year, or after the board adopts a subsequent revision to that budget, the public university shall make all of the following available through a link on its website homepage: ~~in a form and manner prescribed by the department of technology, management, and budget:~~

(a) The annual operating budget and subsequent budget revisions.

(b) A summary of current expenditures for the most recent fiscal year for which they are available, expressed as pie charts in the following 2 categories:

(i) A chart of personnel expenditures, broken into the following subcategories:

(A) Earnings and wages.

(B) Employee benefit costs, including, but not limited to, medical, dental, vision, life, disability, and long-term care benefits.

(C) Retirement benefit costs.

(D) All other personnel costs.

(ii) A chart of all current expenditures the public university reported as part of its higher education institutional data inventory data under section 241(2), broken into the same subcategories in which it reported those data.

(c) Links to all of the following for the public university:

(i) The current collective bargaining agreement for each bargaining unit.

(ii) Each health care benefits plan, including, but not limited to, medical, dental, vision, disability, long-term care, or any other type of benefits that would constitute health care services, offered to any bargaining unit or employee of the public university.

(iii) Audits and financial reports for the most recent fiscal year for which they are available.

(iv) Campus security policies and crime statistics pursuant to the student right-to-know and campus security act, Public Law 101-542, 104 Stat. 2381. Information shall include all material prepared pursuant to the public information reporting requirements under the crime awareness and campus security act of 1990, title II of the student right-to-know and campus security act, Public Law 101-542, 104 Stat. 2381.

(d) A list of all positions funded partially or wholly through institutional general fund revenue that includes the position title, ~~name,~~ and annual salary or wage amount for each position.

(E) GENERAL FUND REVENUE AND EXPENDITURE PROJECTIONS FOR FISCAL YEAR 2013-2014 AND FISCAL YEAR 2014-2015.

(F) A LISTING OF ALL DEBT SERVICE OBLIGATIONS, DETAILED BY PROJECT, ANTICIPATED FISCAL YEAR 2013-2014 PAYMENT FOR EACH PROJECT, AND TOTAL OUTSTANDING DEBT.

(G) THE INSTITUTION'S POLICY REGARDING THE TRANSFERABILITY OF CORE COLLEGE COURSES BETWEEN COMMUNITY COLLEGES AND THE UNIVERSITY.

(H) A LISTING OF ALL COMMUNITY COLLEGES THAT HAVE ENTERED INTO REVERSE TRANSFER AGREEMENTS WITH THE UNIVERSITY.

(2) A public university shall provide a dashboard or report card demonstrating the university's performance in several "best practice" measures. The dashboard or report card shall include at least all of the following for the 3 most recent school years for which the data are available:

(a) Enrollment.

- (b) Student retention rate.
- (c) Six-year graduation rates.
- (d) Number of Pell grant recipients **AND GRADUATING PELL GRANT RECIPIENTS.**
- (e) Geographic origination of students, categorized as in-state, out-of-state, and international.
- (f) Faculty to student ratios and total university employee to student ratios.
- (g) Teaching load by faculty classification.
- (h) Graduation outcome rates, including employment and continuing education.

(3) For statewide consistency and public visibility, public universities must use the icon badge provided by the department of technology, management, and budget consistent with the icon badge developed by the department of education for K-12 school districts. It must appear on the front of each public university's homepage. The size of the icon may be reduced to 150 x 150 pixels. The font size and style for this reporting must be consistent with other documents on each university's website. ~~To be in compliance with this section, all data elements defined in this section must be available on the university's homepage, in a form and manner prescribed by the department of technology, management, and budget, by December 31, 2012.~~

(4) The state budget director shall determine whether a public university has complied with this section. The state budget director may withhold a public university's monthly installments described in section 241 until the public university complies with this section.

Sec. 246. (1) The funds appropriated in section ~~236(4)~~ **236** for Michigan public school employees' retirement system reimbursement shall be allocated to each participating public university under this section based on each participating public university's total retiree health care premiums paid for Michigan public school employees' retirement system retirants in proportion to the total retiree health care premiums paid for Michigan public school employees' retirement system retirants for all participating public universities for the immediately preceding state fiscal year. Payments shall be made in a form and manner determined by the office of retirement services. A public university that receives money under this section shall use that money solely for the purpose of offsetting a portion of the retirement contributions owed by the university. ~~for the fiscal year ending September 30, 2013.~~

(2) As used in this section, "participating public university" means a public university that is a reporting unit of the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1408, and that pays retiree health care premiums to the Michigan public school employees' retirement system for the state fiscal year.

Sec. 252. (1) The amounts appropriated in section 236 for the state tuition grant program shall be distributed pursuant to 1966 PA 313, MCL 390.991 to 390.997a.

(2) Tuition grant awards shall be made to all eligible Michigan residents enrolled in undergraduate degree programs who **ARE QUALIFIED AND WHO** apply before July 1, 2012 ~~and who are qualified.~~ **FOR THE 2012-2013 SCHOOL YEAR OR JULY 1, 2013 FOR THE 2013-2014 SCHOOL YEAR, AS APPLICABLE.**

(3) Pursuant to section 5 of 1966 PA 313, MCL 390.995, and subject to subsection (7), the department of treasury shall determine an actual maximum tuition grant award per student, which shall be no less than \$1,512.00, that ensures that the aggregate payments for the tuition grant program do not exceed the appropriation contained in section 236 for the state tuition grant program. If the department determines that insufficient funds are available to establish a maximum award amount equal to at least \$1,512.00, the department shall immediately report to the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the state budget director regarding the estimated amount of additional funds necessary to establish a \$1,512.00 maximum award amount. If the department determines that sufficient funds are available to establish a maximum award amount equal to at least \$1,512.00, the department shall immediately report to the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the state budget director regarding the maximum award amount established and the projected amount of any projected year-end appropriation balance based on that maximum award amount. By December 15, 2012, and again by February 18, ~~2013,~~ **OF EACH FISCAL YEAR,** the department shall analyze the status of award commitments, shall make any necessary adjustments, and shall confirm that those award commitments will not exceed the appropriation contained in section 236 for the tuition grant program. The determination and actions shall be reported to the state budget director and the house and senate fiscal agencies no later than the final day of February of each year. If award adjustments are necessary, the students shall be notified of the adjustment by March 4 of each year.

(4) Any unexpended and unencumbered funds remaining on September 30, ~~2012-2013~~ from the amounts appropriated in section 236 for the tuition grant program **FOR FISCAL YEAR 2012-2013** shall not lapse on September 30, ~~2012,~~ **2013,** but shall continue to be available for expenditure for tuition grants provided in the ~~2012-2013~~ **2013-2014** fiscal year under a work project account. The use of these unexpended fiscal year ~~2011-2012~~ **2012-2013** funds shall terminate at the end of the ~~2012-2013~~ **2013-2014** fiscal year. **ANY UNEXPENDED AND UNENCUMBERED FUNDS REMAINING ON SEPTEMBER 30, 2014 FROM THE AMOUNTS APPROPRIATED IN SECTION 236 FOR THE TUITION GRANT PROGRAM FOR FISCAL YEAR 2013-2014 SHALL NOT LAPSE ON SEPTEMBER 30, 2014, BUT SHALL CONTINUE TO BE AVAILABLE FOR EXPENDITURE FOR TUITION GRANTS PROVIDED IN THE 2014-2015 FISCAL YEAR UNDER A WORK PROJECT ACCOUNT. THE USE OF THESE UNEXPENDED FISCAL YEAR 2013-2014 FUNDS SHALL TERMINATE AT THE END OF THE 2014-2015 FISCAL YEAR.**

(5) The department of treasury shall continue a proportional tuition grant maximum award level for recipients enrolled less than full-time in a given semester or term.

(6) If the department of treasury increases the maximum award per eligible student from that provided in the previous fiscal year, it shall not have the effect of reducing the number of eligible students receiving awards in relation to the total number of eligible applicants. Any increase in the maximum grant shall be proportional for all eligible students receiving awards for **THAT** fiscal year, 2012-2013:

(7) ~~The~~ **IN ANY FISCAL YEAR, THE** department of treasury shall not award more than \$3,000,000.00 in tuition grants to eligible students enrolled in the same independent nonprofit college or university in this state. Any decrease in the maximum grant shall be proportional for all eligible students enrolled in that college or university, as determined by the department.

Sec. 258. By February 15 of each year, the department of treasury shall ~~submit~~ **POST TO ITS PUBLICLY AVAILABLE WEBSITE** a report ~~to the state budget director, the house and senate appropriations subcommittees on higher education, and the house and senate fiscal agencies~~ for the preceding fiscal year on all student financial aid programs for which funds are appropriated in section 236. For each student financial aid program, the report shall include, but is not limited to, the total number of awards paid in the preceding fiscal year, the total dollar amount of those awards, and the number of students receiving awards and the total amount of those awards at each eligible postsecondary institution. To the extent information is available, the report shall also include information on household income and other demographic characteristics of students receiving awards under each program and historical information on the number of awards and total award amounts for each program.

SEC. 259. THE FUNDS APPROPRIATED IN SECTION 236 FOR THE COLLEGE ACCESS PROGRAM SHALL BE USED FOR EFFORTS TO SUPPORT COLLEGE ACCESS. THE DEPARTMENT OF TREASURY SHALL ADMINISTER THESE FUNDS. ALLOWABLE USES INCLUDE THE FOLLOWING:

(A) MICHIGAN COLLEGE ACCESS NETWORK OPERATIONS, PROGRAMMING, AND SERVICES TO LOCAL COLLEGE ACCESS NETWORKS.

(B) LOCAL COLLEGE ACCESS NETWORKS, WHICH ARE COMMUNITY-BASED COLLEGE ACCESS/SUCCESS PARTNERSHIPS COMMITTED TO INCREASING THE COLLEGE PARTICIPATION AND COMPLETION RATES WITHIN GEOGRAPHICALLY DEFINED COMMUNITIES THROUGH A COORDINATED STRATEGY.

(C) MICHIGAN COLLEGE ACCESS PORTAL, AN ONLINE 1-STOP PORTAL TO HELP STUDENTS AND FAMILIES PLAN AND APPLY FOR COLLEGE.

(D) PUBLIC AWARENESS AND OUTREACH CAMPAIGNS TO ENCOURAGE LOW-INCOME AND FIRST-GENERATION STUDENTS TO TAKE NECESSARY STEPS TOWARD COLLEGE AND TO ASSIST STUDENTS AND FAMILIES IN COMPLETING A TIMELY AND ACCURATE FREE APPLICATION FOR FEDERAL STUDENT AID.

(E) SUBGRANTS TO POSTSECONDARY INSTITUTIONS TO RECRUIT, HIRE, AND TRAIN COLLEGE STUDENT MENTORS AND COLLEGE ADVISORS TO ASSIST HIGH SCHOOL STUDENTS IN NAVIGATING THE POSTSECONDARY PLANNING AND ENROLLMENT PROCESS.

SEC. 262A. (1) IT IS THE INTENT OF THE LEGISLATURE THAT EACH PUBLIC UNIVERSITY SHALL DEVELOP POLICIES FOR REVIEWING REQUIRED TEXTBOOK AND COURSE MATERIALS WITH THE GOAL OF MINIMIZING THE COST OF TEXTBOOKS AND COURSE MATERIALS USED AT THE UNIVERSITY WHILE MAINTAINING QUALITY OF EDUCATION AND ACADEMIC FREEDOM. THESE POLICIES SHOULD REQUIRE ALL OF THE FOLLOWING:

(A) THAT FACULTY MEMBERS SUBMIT LISTS OF REQUIRED TEXTBOOKS AND COURSE MATERIALS FOR UNIVERSITY REVIEW.

(B) THAT FACULTY MEMBERS CONSIDER THE LEAST COSTLY PRACTICES IN ASSIGNING TEXTBOOKS AND COURSE MATERIALS, SUCH AS ADOPTING THE LEAST EXPENSIVE EDITION OF A TEXTBOOK AVAILABLE WHEN EDUCATIONAL CONTENT IS COMPARABLE TO A MORE COSTLY EDITION.

(C) THAT THE UNIVERSITY REVIEW ANY POTENTIAL FINANCIAL CONFLICT OF INTEREST THAT MAY OCCUR IF A FACULTY MEMBER REQUIRES THE PURCHASE OF ANY TEXTBOOKS OR COURSE MATERIALS HE OR SHE HAS WRITTEN.

(D) THAT THE UNIVERSITY REVIEW REQUIRED TEXTBOOKS AND COURSE MATERIALS TO ENSURE THAT LEAST COSTLY PRACTICES ARE BEING UTILIZED, SUCH AS ADOPTING THE LEAST EXPENSIVE EDITION OF A TEXTBOOK AVAILABLE WHEN EDUCATIONAL CONTENT IS COMPARABLE TO A MORE COSTLY EDITION.

(2) BY FEBRUARY 1 OF EACH YEAR, EACH PUBLIC UNIVERSITY SHALL SUBMIT A REPORT TO THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES ON HIGHER EDUCATION AND THE HOUSE AND SENATE FISCAL AGENCIES ON THE POLICIES DEVELOPED UNDER THIS SECTION.

Sec. 263. (1) Included in the appropriation in section 236 for MSU AgBioResearch ~~IS \$2,982,900.00~~ and ~~INCLUDED IN THE APPROPRIATION IN SECTION 236 FOR MSU extension activities is \$5,628,100.00~~ **\$2,645,200.00** for project GREEN. Project GREEN is intended to address critical regulatory, food safety, economic, and environmental problems

faced by this state's plant-based agriculture, forestry, and processing industries. "GREEN" is an acronym for generating research and extension to meet environmental and economic needs.

(2) The department of agriculture and rural development and Michigan State University, in consultation with agricultural commodity groups and other interested parties, shall develop project GREEN and its program priorities.

~~Sec. 263a. (1) By January 1, 2013, the Michigan State University college of agriculture and natural resources, MSU extension, and MSU AgBioResearch, in partnership with the department of agriculture and rural development and other stakeholders, shall establish a strategic growth initiative for the Michigan food and agriculture industry. This initiative shall address the following goals as established at the 2011 governor's summit for production agriculture:~~

~~(a) Increasing the sector's total economic impact from today's \$71,000,000,000.00 to \$100,000,000,000.00.~~

~~(b) Doubling Michigan's agricultural exports from \$1,750,000,000.00 to \$3,500,000,000.00.~~

~~(c) Increasing jobs in the food and agriculture sector by 10%.~~

~~(d) Improving access by Michigan consumers to healthy foods by 20%.~~

~~(2) The initiative described in subsection (1) shall be patterned after Project GREEN, shall emphasize priorities as set by the Michigan food and agricultural industry, and shall include a commitment to continuous communication, input, and interaction among stakeholders in government and industry and at Michigan State University. Similar to Project GREEN, the initiative shall also include a commitment to communicating results and impacts to stakeholders and the legislature based on a mutually established set of metrics designed to assure MSU extension and AgBioResearch programs are contributing to the goals described in subsection (1)(a) to (d):~~

~~(1) (3) Not later than September 30, 2013, OF EACH YEAR, Michigan State University shall submit a report ON MSU AGBIORESEARCH AND MSU EXTENSION to the house and senate appropriations subcommittees on agriculture and on higher education, the house and senate standing committees on agriculture, the house and senate fiscal agencies, and the state budget director for the preceding school fiscal year, detailing, but not limited to:~~

~~(2) THE REPORT REQUIRED UNDER SUBSECTION (1) SHALL INCLUDE ALL OF THE FOLLOWING:~~

~~(a) Total funds expended by MSU AgBioResearch and by MSU extension service identified by state, local, private, federal, and university fund sources.~~

~~(b) The metric goals that were used to evaluate the impacts of programs operated by MSU extension and MSU AgBioResearch. It is the intent of the legislature that the following metric goals will be used to evaluate the impacts of those programs:~~

~~(i) Increasing the number of agriculture and food-related firms collaborating with and using services of research and extension faculty and staff by 3% per year.~~

~~(ii) Increasing the number of individuals utilizing MSU extension's educational services by 5% per year.~~

~~(iii) Increasing external funds generated in support of research and extension, beyond state appropriations, by 10% over the amounts generated in the past 3 state fiscal years.~~

~~(iv) INCREASING THE SECTOR'S TOTAL ECONOMIC IMPACT FROM TODAY'S \$71,000,000,000.00 TO \$100,000,000,000.00.~~

~~(v) DOUBLING MICHIGAN'S AGRICULTURAL EXPORTS FROM \$1,750,000,000.00 TO \$3,500,000,000.00.~~

~~(vi) INCREASING JOBS IN THE FOOD AND AGRICULTURE SECTOR BY 10%.~~

~~(vii) IMPROVING ACCESS BY MICHIGAN CONSUMERS TO HEALTHY FOODS BY 20%.~~

~~(c) A review of major programs within both MSU AgBioResearch and MSU extension with specific reference to accomplishments, impacts, and the metrics described in subdivision (b), including a specific accounting of Project GREEN expenditures and the impact of those expenditures.~~

~~Sec. 264. Included in the appropriation in section 236 FOR FISCAL YEAR 2013-2014 for Michigan State University is \$80,000.00 for the Michigan future farmers of America association. This \$80,000.00 allocation shall not supplant any existing support that Michigan State University provides to the Michigan future farmers of America association.~~

~~Sec. 265. (1) Payments from the amount appropriated in UNDER section 236(3) 265A for public university tuition restraint incentives PERFORMANCE FUNDING shall only be made to a public university that certifies to the state budget director by August 31, 2012-2013 that its board did not adopt an increase in tuition and fee rates for resident undergraduate students after September 1, 2011-2012 for the 2011-2012-2012-2013 academic year and that its board will not adopt an increase in tuition and fee rates for resident undergraduate students for the 2012-2013-2013-2014 academic year that is greater than 4.0%-3.75%. As used in this subsection: and subsection (2):~~

~~(a) Subject to subdivision (c), "fee" means any board-authorized fee that will be paid by more than 1/2 of all resident undergraduate students at least once during their enrollment at a public university. A university increasing a fee that applies to a specific subset of students or courses shall provide sufficient information to prove that the increase applied to that subset will not cause the increase in the average amount of board-authorized total tuition and fees paid by resident undergraduate students in the 2012-2013-2013-2014 academic year to exceed the limit established in this subsection.~~

~~(b) "Tuition and fee rate" means the average of full-time rates for all undergraduate classes, based on an average of the rates authorized by the university board and actually charged to students, deducting any uniformly-rebated or refunded amounts, for the 2 semesters with the highest levels of full-time equated resident undergraduate enrollment during the academic year.~~

~~(c) For purposes of subdivision (a), for a public university that compels resident undergraduate students to be covered by health insurance as a condition to enroll at the university, "fee" includes the annual amount a student is charged for coverage by~~

the university-affiliated group health insurance policy if he or she does not provide proof that he or she is otherwise covered by health insurance. This subdivision does not apply to limited subsets of resident undergraduate students to be covered by health insurance for specific reasons other than general enrollment at the university.

(2) For purposes of section 236(3), each public university's allocation for tuition restraint incentive shall be determined as follows:

(a) Calculate an adjustment for each university by subtracting each university's reported percent change in tuition and fee rates for academic year 2012-2013 from 4.1%. If the result of the calculation in this subdivision is less than 0.1%, the university is not qualified to receive an allocation under this section. All calculations under this subdivision shall be rounded to the first decimal place.

(b) For each qualified university, divide the university's adjustment as calculated under subdivision (a) by the sum of all adjustments for qualifying universities under subdivision (a) and then multiply the resulting calculation for each university by the total amount available for tuition restraint incentive funding, rounded to the nearest hundred dollars.

(2) (3) The state budget director shall implement uniform reporting requirements to ensure that a public university receiving an appropriation under section 236(3) **A PAYMENT UNDER SECTION 265A FOR PERFORMANCE FUNDING** has satisfied the tuition restraint requirements of this section. The state budget director shall have the sole authority to determine if a public university has met the requirements of this section. Information reported by a public university to the state budget director under this subsection shall also be reported to the house and senate appropriations subcommittees on higher education and the house and senate fiscal agencies.

(4) In conjunction with the uniform reporting requirements established under subsection (3), each public university shall also report the following information to the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the state budget director by August 31, 2012:

(a) Actual or estimated fiscal year 2011-2012 and budgeted fiscal year 2012-2013 total general fund tuition and fee revenue.

(b) Actual or estimated fiscal year 2011-2012 and budgeted fiscal year 2012-2013 total general fund revenue.

(c) Actual or estimated fiscal year 2011-2012 and budgeted fiscal year 2012-2013 general fund expenditures for student financial aid.

(d) Actual or estimated fiscal year 2011-2012 and budgeted fiscal year 2012-2013 total general fund expenditures.

(e) Actual or estimated fiscal year 2011-2012 and budgeted fiscal year 2012-2013 total fiscal year equated student enrollment.

Sec. 265a. (1) Appropriations to public universities in section 236 for performance funding shall be paid only to a public university that **COMPLIES WITH SECTION 265 AND CERTIFIES TO THE STATE BUDGET DIRECTOR, THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES ON HIGHER EDUCATION, AND THE HOUSE AND SENATE FISCAL AGENCIES BY AUGUST 31, 2013 THAT IT** complies with all of the following requirements:

(a) The university certifies to the state budget director, the house and senate appropriations subcommittees on higher education, and the house and senate fiscal agencies by August 31, 2012, that, by January 3, 2013, it will be participating **PARTICIPATES** in reverse transfer agreements described in section 286 with at least 3 Michigan community colleges or have **HAS** made a good-faith effort to enter into reverse transfer agreements.

(b) The university certifies to the state budget director, the house and senate appropriations subcommittees on higher education, and the house and senate fiscal agencies by August 31, 2012, that, by January 3, 2013, it **DOES NOT AND** will not consider whether dual enrollment credits earned by an incoming student were utilized towards his or her high school graduation requirements when making a determination as to whether those credits may be used by the student toward completion of a university degree or certificate program.

(c) The university certifies to the state budget director, the house and senate appropriations subcommittees on higher education, and the house and senate fiscal agencies by August 31, 2012 that the university participates in the Michigan transfer network created as part of the Michigan association of collegiate registrars and admissions officers transfer agreement.

(2) Any performance funding amounts under section 236 that are not paid to a public university because it did not comply with 1 or more requirements under subsection (1) are unappropriated and reappropriated for **tuition restraint funding described in section 265. PERFORMANCE FUNDING TO THOSE PUBLIC UNIVERSITIES THAT MEET THE REQUIREMENTS UNDER SUBSECTION (1), DISTRIBUTED IN PROPORTION TO THEIR PERFORMANCE FUNDING APPROPRIATION AMOUNTS UNDER SECTION 236.**

(3) The state budget director shall report to the house and senate appropriations subcommittees on higher education and the house and senate fiscal agencies by September 17, 2012, **2013**, regarding any performance funding amounts **THAT ARE** not paid to a public university because it did not comply with 1 or more requirements under subsection (1) and any reappropriation of funds under subsection (2).

(4) A university that has not implemented the policies required under subsection (1)(a) and (b) by August 31, 2012, but certifies that it will implement those policies by January 3, 2013, shall recertify to the state budget director, the house and senate appropriations subcommittees on higher education, and the house and senate fiscal agencies by January 3, 2013, that the policies have been fully implemented. For a university that does not recertify that the policies have been fully implemented, the performance funding appropriated to that university in section 236 shall be retroactively withheld and unappropriated and reappropriated under subsection (2).

(4) PERFORMANCE FUNDING AMOUNTS DESCRIBED IN SECTION 236 ARE DISTRIBUTED BASED ON THE FOLLOWING FORMULA:

(A) BASED ON WEIGHTED UNDERGRADUATE COMPLETIONS IN CRITICAL SKILLS AREAS, 22.2%.

(B) BASED ON RESEARCH AND DEVELOPMENT EXPENDITURES, FOR UNIVERSITIES CLASSIFIED IN CARNEGIE CLASSIFICATIONS AS DOCTORAL/RESEARCH UNIVERSITIES, RESEARCH UNIVERSITIES (HIGH RESEARCH ACTIVITY), OR RESEARCH UNIVERSITIES (VERY HIGH RESEARCH ACTIVITY) ONLY, 11.1%.

(C) BASED ON 6-YEAR GRADUATION RATE, TOTAL DEGREE COMPLETIONS, AND INSTITUTIONAL SUPPORT AS A PERCENTAGE OF CORE EXPENDITURES, SCORED AGAINST NATIONAL CARNEGIE CLASSIFICATION PEERS AND WEIGHTED BY TOTAL UNDERGRADUATE FISCAL YEAR EQUATED STUDENTS, 66.7%.

(5) FOR PURPOSES OF DETERMINING THE SCORE OF A UNIVERSITY UNDER SUBSECTION (4)(C), EACH UNIVERSITY IS ASSIGNED 1 OF THE FOLLOWING SCORES:

(A) A UNIVERSITY CLASSIFIED AS IN THE TOP 20%, A SCORE OF 3.

(B) A UNIVERSITY CLASSIFIED AS ABOVE NATIONAL MEDIAN, A SCORE OF 2.

(C) A UNIVERSITY CLASSIFIED AS IMPROVING, A SCORE OF 2. IT IS THE INTENT OF THE LEGISLATURE THAT, BEGINNING IN THE 2014-2015 STATE FISCAL YEAR, A UNIVERSITY CLASSIFIED AS IMPROVING IS ASSIGNED A SCORE OF 1.

(D) A UNIVERSITY THAT IS NOT INCLUDED IN SUBDIVISION (A), (B), OR (C), A SCORE OF 0.

(6) FOR PURPOSES OF THIS SECTION, "CARNEGIE CLASSIFICATION" SHALL MEAN THE BASIC CLASSIFICATION OF THE UNIVERSITY ACCORDING TO THE MOST RECENT VERSION OF THE CARNEGIE CLASSIFICATION OF INSTITUTIONS OF HIGHER EDUCATION, PUBLISHED BY THE CARNEGIE FOUNDATION FOR THE ADVANCEMENT OF TEACHING.

Sec. 267. All public universities shall submit the amount of tuition and fees actually charged to a full-time resident undergraduate student for academic year ~~2012-2013~~**2013-2014** as part of their higher education institutional data inventory (HEIDI) data by August 31 of each year. A public university shall report any revisions for any semester of the reported academic year ~~2012-2013~~**2013-2014** tuition and fee charges to HEIDI within 15 days of being adopted.

Sec. 268. **(1)** For the fiscal year ending September 30, ~~2013~~**2014**, it is the intent of the legislature that funds be allocated for unfunded North American Indian tuition waiver costs incurred by public universities under 1976 PA 174, MCL 390.1251 to 390.1253, from the general fund.

(2) BY FEBRUARY 15 OF EACH YEAR, THE DEPARTMENT OF CIVIL RIGHTS SHALL ANNUALLY SUBMIT TO THE STATE BUDGET DIRECTOR, THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES ON HIGHER EDUCATION, AND THE HOUSE AND SENATE FISCAL AGENCIES FOR THE PRECEDING FISCAL YEAR A REPORT ON NORTH AMERICAN INDIAN TUITION WAIVERS THAT INCLUDES, BUT IS NOT LIMITED TO, ALL OF THE FOLLOWING INFORMATION FOR EACH POSTSECONDARY INSTITUTION:

(A) THE TOTAL NUMBER OF WAIVER APPLICATIONS.

(B) THE TOTAL NUMBER OF WAIVERS GRANTED AND THE MONETARY VALUE OF EACH WAIVER.

(C) THE NUMBER OF STUDENTS WHO WITHDRAW FROM CLASSES.

(D) THE NUMBER OF STUDENTS WHO SUCCESSFULLY COMPLETE A DEGREE OR CERTIFICATE PROGRAM AND THE 6-YEAR GRADUATION RATE.

Sec. 269. For fiscal year ~~2012-2013~~**2013-2014**, from the amount appropriated in section 236 to Central Michigan University for operations, \$29,700.00 shall be paid to Saginaw Chippewa Tribal College for the costs of waiving tuition for North American Indians under 1976 PA 174, MCL 390.1251 to 390.1253.

Sec. 270. For fiscal year ~~2012-2013~~**2013-2014** from the amount appropriated in section 236 to Lake Superior State University for operations, \$100,000.00 shall be paid to Bay Mills Community College for the costs of waiving tuition for North American Indians under 1976 PA 174, MCL 390.1251 to 390.1253.

SEC. 272A. BY FEBRUARY 15, 2014, EACH PUBLIC UNIVERSITY RECEIVING FUNDS UNDER SECTION 236 SHALL SUBMIT A REPORT TO THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES ON HIGHER EDUCATION, THE HOUSE AND SENATE FISCAL AGENCIES, AND THE STATE BUDGET DIRECTOR REGARDING THE REJECTION OF TRANSFER CREDITS BY THE UNIVERSITY IN THE PRIOR YEAR. THE REPORT SHALL INCLUDE INFORMATION ON THE NUMBER OF CREDITS EARNED BY INCOMING STUDENTS AT OTHER POSTSECONDARY INSTITUTIONS, WITH THE EQUIVALENT OF A LETTER GRADE OF C OR HIGHER, THAT WERE REJECTED BY THE UNIVERSITY FOR TRANSFER, REPORTED BY BOTH ACADEMIC PROGRAM AREA AND PRIOR INSTITUTION, ALONG WITH EXPLANATORY INFORMATION REGARDING THE RATIONALE FOR THE REJECTION OF THE CREDITS. DATA MAY BE REPORTED ON EITHER AN ACADEMIC OR CALENDAR YEAR BASIS.

Sec. 273. It is the intent of the legislature that each public university shall submit a report to the house and senate appropriations committees, the house and senate fiscal agencies, and the state budget director by October 15, ~~2012~~**2013**, on the university's

efforts to accommodate the sincerely held religious beliefs of students enrolled in accredited counseling degree programs at the university.

Sec. 274. It is the intent of the legislature that public and private organizations that conduct human embryonic stem cell derivation subject to section 27 of article I of the state constitution of 1963 will provide information to the director of the department of community health by December 1, ~~2012-2013~~ that includes all of the following:

(a) Documentation that the organization conducting human embryonic stem cell derivation is conducting its activities in compliance with the requirements of section 27 of article I of the state constitution of 1963 and all relevant national institutes of health guidelines pertaining to embryonic stem cell derivation.

(b) A list of all human embryonic stem cell lines submitted by the organization to the national institutes of health for inclusion in the human embryonic stem cell registry before and during fiscal year ~~2011-2012~~, **2012-2013**, and the status of each submission as approved, pending approval, or review completed but not yet accepted.

(c) Number of human embryonic stem cell lines derived and not submitted for inclusion in the human embryonic stem cell registry, before and during fiscal year ~~2011-2012~~: **2012-2013**.

Sec. 274a. (1) It is the intent of the legislature that a public university that receives funds in section 236 not provide health insurance or other fringe benefits for any adult coresident of an employee of the university who is not married to or a dependent of that employee or for any dependent of such an adult coresident.

(2) It is the intent of the legislature that each public university receiving funds in section 236 submit a report by December 1, ~~2012-2013~~ to the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the state budget director containing the number of individuals described in subsection (1) who received health insurance or other fringe benefits provided by the university in fiscal year ~~2011-2012~~ **2012-2013** and the cost to the university of providing those benefits.

Sec. 275. (1) It is the intent of the legislature that each public university ~~receiving~~ **THAT RECEIVES** an appropriation in section 236 do all of the following:

(a) Meet the provisions of section 5003 of the post-911 veterans educational assistance act of 2008, 38 USC 3301 to 3324, including voluntary participation in the yellow ribbon GI education enhancement program established in that act in 38 USC 3317. By October 1 of each year, each public university shall report to the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the presidents council, state universities of Michigan on whether or not it has chosen to participate in the yellow ribbon GI education enhancement program. If at any time during the fiscal year a university participating in the yellow ribbon program chooses to leave the yellow ribbon program, it shall notify the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the presidents council, state universities of Michigan.

(b) Establish an on-campus veterans' liaison to provide information and assistance to all student veterans.

(c) Provide flexible enrollment application deadlines for all veterans.

(d) Include in its admission application process a specific question as to whether an applicant for admission is a veteran, an active member of the military, a member of the national guard or military reserves, or the spouse or dependent of a veteran, active member of the military, or member of the national guard or military reserves, in order to more quickly identify potential educational assistance available to that applicant.

(E) CONSIDER ALL VETERANS RESIDENTS OF THIS STATE FOR DETERMINING THEIR TUITION RATES AND FEES.

(F) WAIVE ENROLLMENT FEES FOR ALL VETERANS.

(2) As used in this section, "veteran" means an honorably discharged veteran entitled to educational assistance under the provisions of section 5003 of the post-911 veterans educational assistance act of 2008, 38 USC 3301 to 3324.

Sec. 275a. Funds appropriated in section 236 shall not be used by a public university to pay for the construction or maintenance of a self-liquidating project. A public university shall comply **WITH SECTION 238 OF THE MANAGEMENT AND BUDGET ACT, 1984 PA 431, MCL 18.1238, AND** with the current use and finance requirements of the joint capital outlay subcommittee (JCOS) for any construction, renovation, or other capital outlay projects pursuant to JCOS policy. The appropriation in section 236 for a public university that fails to comply with JCOS reporting requirements shall be reduced by 1% for each violation.

Sec. 276. (1) Included in the appropriation for fiscal year ~~2012-2013~~ **2013-2014** for each public university in section 236 is funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks future faculty program that is intended to increase the pool of academically or economically disadvantaged candidates pursuing faculty teaching careers in postsecondary education. Preference may not be given to applicants on the basis of race, color, ethnicity, gender, or national origin. Institutions should encourage applications from applicants who would otherwise not adequately be represented in the graduate student and faculty populations. Each public university shall apply the percentage change applicable to every public university in the calculation of appropriations in section 236 to the amount of funds allocated to the future faculty program.

(2) The program shall be administered by each public university in a manner prescribed by the workforce development agency. The workforce development agency shall use a good faith effort standard to evaluate whether a fellowship is in default.

Sec. 277. (1) Included in the appropriation for fiscal year ~~2012-2013~~ **2013-2014** for each public university in section 236 is funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks college day program that is intended to introduce

academically or economically disadvantaged schoolchildren to the potential of a college education. Preference may not be given to participants on the basis of race, color, ethnicity, gender, or national origin. Public universities should encourage participation from those who would otherwise not adequately be represented in the student population.

(2) Individual program plans of each public university shall include a budget of equal contributions from this program, the participating public university, the participating school district, and the participating independent degree-granting college. College day funds shall not be expended to cover indirect costs. Not more than 20% of the university match shall be attributable to indirect costs. Each public university shall apply the percentage change applicable to every public university in the calculation of appropriations in section 236 to the amount of funds allocated to the college day program.

(3) The program described in this section shall be administered by each public university in a manner prescribed by the workforce development agency.

Sec. 278. (1) Included in section 236 for fiscal year ~~2012-2013~~ **2013-2014** is funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks select student support services program for developing academically or economically disadvantaged student retention programs for 4-year public and independent educational institutions in this state. Preference may not be given to participants on the basis of race, color, ethnicity, gender, or national origin. Institutions should encourage participation from those who would otherwise not adequately be represented in the student population.

(2) An award made under this program to any 1 institution shall not be greater than \$150,000.00, and the amount awarded shall be matched on a 70% state, 30% college or university basis.

(3) The program described in this section shall be administered by the workforce development agency.

Sec. 279. (1) Included in section 236 for fiscal year ~~2012-2013~~ **2013-2014** is funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks college/university partnership program between 4-year public and independent colleges and universities and public community colleges, which is intended to increase the number of academically or economically disadvantaged students who transfer from community colleges into baccalaureate programs. Preference may not be given to participants on the basis of race, color, ethnicity, gender, or national origin. Institutions should encourage participation from those who would otherwise not adequately be represented in the transfer student population.

(2) The grants shall be made under the program described in this section to Michigan public and independent colleges and universities. An award to any 1 institution shall not be greater than \$150,000.00, and the amount awarded shall be matched on a 70% state, 30% college or university basis.

(3) The program described in this section shall be administered by the workforce development agency.

Sec. 280. (1) Included in the appropriation for fiscal year ~~2012-2013~~ **2013-2014** for each public university in section 236 is funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks visiting professors program which is intended to increase the number of instructors in the classroom to provide role models for academically or economically disadvantaged students. Preference may not be given to participants on the basis of race, color, ethnicity, gender, or national origin. Public universities should encourage participation from those who would otherwise not adequately be represented in the student population.

(2) The program described in this section shall be administered by the workforce development agency.

Sec. 281. (1) Included in the appropriation for fiscal year ~~2012-2013~~ **2013-2014** in section 236 is funding under the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks initiative for the Morris Hood, Jr. educator development program which is intended to increase the number of academically or economically disadvantaged students who enroll in and complete K-12 teacher education programs at the baccalaureate level. Preference may not be given to participants on the basis of race, color, ethnicity, gender, or national origin. Institutions should encourage participation from those who would otherwise not adequately be represented in the teacher education student population.

(2) The program described in this section shall be administered by each state-approved teacher education institution in a manner prescribed by the workforce development agency.

(3) Approved teacher education institutions may and are encouraged to use student support services funding in coordination with the Morris Hood, Jr. funding to achieve the goals of the program described in this section.

Sec. 282. Each institution receiving funds under section 278, 279, or 281 shall notify the workforce development agency by April 15, ~~2013~~ **2014** as to whether it will expend by the end of its fiscal year the funds received under section 278, 279, or 281. Notwithstanding the award limitations in sections 278 and 279, the amount of funding reported as not being expended will be reallocated to the institutions that intend to expend all funding received under section 278, 279, or 281.

Sec. 289. (1) The auditor general shall ~~review~~ **PERIODICALLY AUDIT** higher education institutional data inventory (HEIDI) ~~enrollment~~ data submitted by all public universities under section 241 and may perform audits of selected public universities if determined necessary. The ~~review and~~ audits shall be based upon the definitions, requirements, and uniform reporting categories established by the state budget director in consultation with the HEIDI advisory committee. The auditor general shall submit a report of findings to the house and senate appropriations committees and the state budget director no later than July 1 of each year **AN AUDIT TAKES PLACE**.

(2) Student credit hours reports shall not include the following:

(a) Student credit hours generated through instructional activity by faculty or staff in classrooms located outside Michigan, with the exception of instructional activity related to study-abroad programs or field programs.

(b) Student credit hours generated through distance learning instruction for students not eligible for the public university's in-state main campus resident tuition rate. However, in instances where a student is enrolled in distance education and

non-distance education credit hours in a given term and the student's non-distance education enrollment is at a campus or site located within Michigan, student credit hours per the student's eligibility for in-state or out-of-state tuition rates may be reported.

(c) Student credit hours generated through credit by examination.

(d) Student credit hours generated through inmate prison programs regardless of teaching location.

(e) Student credit hours generated in new degree programs after January 1, 1975, that have not been specifically authorized for funding by the legislature, except spin-off programs converted from existing core programs that do all of the following:

(i) Represent new options, fields, or concentrations within existing programs.

(ii) Are consistent with the current institutional role and mission.

(iii) Are accommodated within the continuing funding base of the public university.

(iv) Do not require a new degree level beyond that which the public university is currently authorized to grant within that discipline or field.

(v) Do not require funding from the state other than that provided by the student credit hours generated within the program, either before program initiation or within the first 3 years of program operation.

(3) The auditor general shall periodically audit higher education institutional data inventory (HEIDI) data as submitted by the public universities under section 241 for compliance with the definitions established by the state budget director in consultation with the HEIDI advisory committee for the HEIDI database.

(E) STUDENT CREDIT HOURS GENERATED IN NEW DEGREE PROGRAMS CREATED ON OR AFTER JANUARY 1, 1975 AND BEFORE JANUARY 1, 2013, THAT WERE NOT SPECIFICALLY AUTHORIZED FOR FUNDING BY THE LEGISLATURE, EXCEPT SPIN-OFF PROGRAMS CONVERTED FROM EXISTING CORE PROGRAMS, AND STUDENT CREDIT HOURS GENERATED IN ANY NEW DEGREE PROGRAMS CREATED AFTER JANUARY 1, 2013, THAT ARE SPECIFICALLY EXCLUDED FROM REPORTING BY THE LEGISLATURE UNDER THIS SECTION.

(3) (4) "Distance learning instruction" as used in subsection (2) means instruction that occurs solely in other than a traditional classroom setting where the student and instructor are in the same physical location and for which a student receives course credits and is charged tuition and fees. Examples of distance learning instruction are instruction delivered solely through the internet, cable television, teleconference, or mail.

Sec. 290. (1) For the purposes of section 289(2)(c), the legislature authorizes the public universities to establish the following new degree programs:

(a) Bachelor's degree programs:

Central Michigan University, Computer Engineering, B.S.

Eastern Michigan University, Interdisciplinary Environmental Science and Society Program, B.S.

Ferris State University, Graphic Media Management, B.S.

Ferris State University, Health Care Marketing, B.S.

Ferris State University, Insurance and Risk Management, B.S.

Grand Valley State University, Religious Studies, B.A./B.S.

Michigan Technological University, Engineering Management, B.S.

Oakland University, Biomedical Sciences, B.S.

Oakland University, Liberal Arts Major in Creative Writing, B.A.

University of Michigan – Ann Arbor, Environmental Engineering, B.S.E.

University of Michigan – Dearborn, Digital Forensics, B.S.

University of Michigan – Dearborn, Reading – Elementary Certification, B.A.

Wayne State University, Instructional Technology, B.A./B.S.

Western Michigan University, Japanese, B.A.

Western Michigan University, e-Business Marketing, B.B.A.

Western Michigan University, Health Informatics and Information Management, B.S./B.B.A.

(b) Master's degree programs:

Ferris State University, Information Security and Intelligence, M.S.

Michigan Technological University, Integrated Geospatial Technology, M.S.

Michigan Technological University, Medical Informatics, M.S.

Oakland University, Psychology, M.S.

University of Michigan – Ann Arbor, Entrepreneurship, Master's

University of Michigan – Ann Arbor, Joint Master's Degree and Graduate Certificate Program in Health Informatics, Master's

University of Michigan – Ann Arbor, Master's of Engineering in Applied Climate, Master's

University of Michigan – Ann Arbor, Master's of Medical Science, M.M.S.

University of Michigan – Dearborn, Business Analytics with a Major in Business Analytics, M.S.

University of Michigan – Dearborn, Supply Chain Management with Minor in Supply Chain Management, M.S.

University of Michigan – Flint, Accounting, M.S.

University of Michigan – Flint, Master of Arts with Certification Program, M.A.

University of Michigan – Flint, Mathematics, M.A.

(c) Doctoral degree programs:

Michigan State University, Doctor of Nursing Practice, D.N.P.

Michigan State University, Educational Leadership, Ed.D.

Michigan Technological University, Biochemistry and Molecular Biology, Ph.D.

Northern Michigan University, Doctor of Nursing Practice, D.N.P.

Oakland University, Early Education and Intervention, Ed.S.

Oakland University, Psychology, Ph.D.

Saginaw Valley State University, Doctor of Nursing Practice, D.N.P.

University of Michigan – Ann Arbor, Nutritional Sciences, Ph.D.

(2) The listing of degree programs in subsection (1) does not constitute legislative intent to provide additional dollars for those programs.

(3) ~~When submitting the listing of new degree programs for purposes of section 289(2)(e), the presidents council of state universities shall also provide a listing of degree programs that institutions of higher education will no longer offer in subsequent academic years.~~ **BY MARCH 1 OF EACH YEAR, THE PRESIDENTS COUNCIL, STATE UNIVERSITIES OF MICHIGAN SHALL PROVIDE A LISTING OF NEW DEGREE PROGRAMS FOR WHICH ENROLLMENT INFORMATION WILL BE REPORTED TO HEIDI UNDER SECTIONS 241 AND 289, AS WELL AS A LISTING OF DEGREE PROGRAMS THAT INSTITUTIONS OF HIGHER EDUCATION WILL NO LONGER OFFER IN SUBSEQUENT ACADEMIC YEARS, TO THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES ON HIGHER EDUCATION, THE HOUSE AND SENATE FISCAL AGENCIES, AND THE STATE BUDGET DIRECTOR.**

Enacting section 1. (1) In accordance with section 30 of article I of the state constitution of 1963, total state spending on school aid under article I of the state school aid act of 1979, 1979 PA 94, MCL 388.1601 to 388.1772, as amended by 2012 PA 201, 2012 PA 465, and this amendatory act from state sources for fiscal year 2012-2013 is estimated at \$11,211,014,200.00 and the amount of that state spending from state sources to be paid to local units of government for fiscal year 2012-2013 is estimated at \$11,032,518,300.00. In accordance with section 30 of article I of the state constitution of 1963, total state spending on school aid under article I of the state school aid act of 1979, 1979 PA 94, MCL 388.1601 to 388.1772, as amended by this amendatory act, from state sources for fiscal year 2013-2014 is estimated at \$11,597,382,300.00 and state appropriations for school aid to be paid to local units of government for fiscal year 2013-2014 are estimated at \$11,437,124,700.00.

(2) In accordance with section 30 of article I of the state constitution of 1963, total state spending on community colleges under article II as amended by 2012 PA 201 and this amendatory act from state sources for fiscal year 2012-2013 is estimated at \$306,630,500.00 and the amount of that state spending from state sources to be paid to local units of government for fiscal year 2012-2013 is estimated at \$306,630,500.00. In accordance with section 30 of article IX of the state constitution of 1963, total state spending from state sources for community colleges for fiscal year 2013-2014 under article II is estimated at \$335,977,600.00 and the amount of that state spending from state sources to be paid to local units of government for fiscal year 2013-2014 is estimated at \$335,977,600.00.

(3) In accordance with section 30 of article IX of the state constitution of 1963, total state spending from state sources for higher education for fiscal year 2013-2014 under article III is estimated at \$1,333,547,100.00 and the amount of that state spending from state sources to be paid to local units of government for fiscal year 2013-2014 is estimated at \$0.00.

Enacting section 2. Sections 11q, 11t, 11u, 22h, 25, 25d, 32g, 32l, 93, 101a, 201b, 210a, 216, 273a, and 293a of the state school aid act of 1979, 1979 PA 94, MCL 388.1611q, 388.1611t, 388.1611u, 388.1622h, 388.1625, 388.1625d, 388.1632g, 388.1632l, 388.1693, 388.1701a, 388.1801b, 388.1810a, 388.1816, 388.1873a, and 388.1893a are repealed effective October 1, 2013.

Enacting section 3. (1) Except as otherwise provided in subsection (2), this amendatory act takes effect October 1, 2013.

(2) Sections 11, 22a, 22b, 26c, 51a, 51c, 81, 95, 147c, 201b, 252, 265, 265a, and 267 of the state school aid act of 1979, 1979 PA 94, MCL 388.1611, 388.1622a, 388.1622b, 388.1626c, 388.1651a, 388.1651c, 388.1681, 388.1695, 388.1747c, 388.1801b, 388.1852, 388.1865, 388.1865a, and 388.1867, sections 11, 22a, 22b, 26c, 51a, 51c, 81, 95, 147c, 252, 265, 265a, and 267 as amended and section 201b as added by this amendatory act, take effect upon enactment of this amendatory act.

Third: That the House and Senate agree to the title of the bill to read as follows:

A bill to amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools, the intermediate school districts, community colleges, and public universities of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 6, 11, 11a, 11g, 11j, 11k, 11m, 12, 15, 18, 18b, 19, 20, 20d, 22a, 22b, 22d, 22f, 22g, 22i, 22j, 24, 24a, 24c, 26a, 26b, 26c, 31a, 31d, 31f, 32d, 32p, 39, 39a, 51a, 51b, 51c, 51d, 53a, 54, 56, 61a, 62, 74, 81, 94a, 95, 98, 99, 101, 102, 104, 107, 147, 147a, 147b, 147c, 152a, 201, 201a, 206, 208, 209, 210, 224, 225, 229, 229a, 230, 236, 236a, 236b, 241, 244, 245, 246, 252, 258, 263,

263a, 264, 265, 265a, 267, 268, 269, 270, 273, 274, 274a, 275, 275a, 276, 277, 278, 279, 280, 281, 282, 289, and 290 (MCL 388.1606, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1612, 388.1615, 388.1618, 388.1618b, 388.1619, 388.1620, 388.1620d, 388.1622a, 388.1622b, 388.1622d, 388.1622f, 388.1622g, 388.1622i, 388.1622j, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1626c, 388.1631a, 388.1631d, 388.1631f, 388.1632d, 388.1632p, 388.1639, 388.1639a, 388.1651a, 388.1651b, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1695, 388.1698, 388.1699, 388.1701, 388.1702, 388.1704, 388.1707, 388.1747, 388.1747a, 388.1747b, 388.1747c, 388.1752a, 388.1801, 388.1801a, 388.1806, 388.1808, 388.1809, 388.1810, 388.1824, 388.1825, 388.1829, 388.1829a, 388.1830, 388.1836, 388.1836a, 388.1836b, 388.1841, 388.1844, 388.1845, 388.1846, 388.1852, 388.1858, 388.1863, 388.1863a, 388.1864, 388.1865, 388.1865a, 388.1867, 388.1868, 388.1869, 388.1870, 388.1873, 388.1874, 388.1874a, 388.1875, 388.1875a, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1889, and 388.1890), sections 6, 11, 26b, and 201 as amended by 2012 PA 465, sections 11a, 11g, 11j, 11k, 11m, 12, 18, 19, 20, 20d, 22a, 22b, 22d, 22f, 24, 24a, 24c, 26a, 31a, 31d, 31f, 32d, 39, 39a, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 74, 81, 94a, 98, 99, 102, 104, 107, 147, 147a, 147b, 152a, 201a, 206, 208, 209, 210, 224, 225, 229, 230, 236, 236a, 241, 244, 245, 252, 258, 263, 263a, 264, 265, 267, 268, 269, 270, 273, 274, 274a, 275, 275a, 276, 277, 278, 279, 280, 281, 282, 289, and 290 as amended and sections 22g, 22i, 22j, 26c, 32p, 95, 147c, 229a, 236b, 246, and 265a as added by 2012 PA 201, section 15 as amended by 2012 PA 286, section 18b as amended by 2008 PA 268, section 51b as added by 1996 PA 300, and section 101 as amended by 2013 PA 29, and by adding sections 20f, 21f, 22c, 22k, 25e, 41, 64a, 99h, 201b, 210b, 229b, 236c, 259, 262a, and 272a; and to repeal acts and parts of acts.

Bill Rogers
Joe Haveman
Conferees for the House

Roger Kahn
John Moolenaar
Conferees for the Senate

The question being on the adoption of the conference report,

The first conference report was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 222

Yeas—25

Booher	Hansen	Marleau	Proos
Brandenburg	Hildenbrand	Meekhof	Richardville
Casperson	Hune	Moolenaar	Robertson
Caswell	Jansen	Nofs	Rocca
Colbeck	Kahn	Pappageorge	Schuitmaker
Emmons	Kowall	Pavlov	Walker
Green			

Nays—12

Ananich	Gregory	Hunter	Smith
Anderson	Hood	Johnson	Warren
Bieda	Hopgood	Jones	Whitmer

Excused—1

Young

Not Voting—0

In The Chair: President

Senator Meekhof moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Protests

Senators Hopgood, Whitmer, Smith, Hood, Johnson and Bieda, under their constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of the first conference report on House Bill No. 4228.

Senators Hopgood, Whitmer, Hood, Johnson and Bieda moved that the statements they made during the discussion of the conference report be printed as their reasons for voting “no.”

The motion prevailed.

Senator Hopgood’s statement is as follows:

My colleagues on the other side of the aisle are apparently proud of this budget because they claim it doesn’t take any money out of schools. Unfortunately, this budget represents a continued systematic disinvestment in our schools, once again taking \$400 million from the School Aid Fund for other budgets—dollars that should come from the General Fund.

Meanwhile, take a look around. First, there was the Buena Vista School District that shut down entirely due to financial distress. Then, there was news of Albion High School, which is shutting its doors due to the budget shortcomings. Just last week, Ann Arbor schools issued 233 pink slips as a result of the lack of funding. If it goes through, it will be the first time in history that Ann Arbor Public Schools would have to lay off teachers. These issues aren’t unique to Buena Vista, Albion, or Ann Arbor. School districts in every corner of the state are collapsing.

As for the school districts that are barely getting by, schools face much larger class sizes, restricted course opportunities, limited books and classroom supplies, cuts to programs for the gifted and talented, and the elimination of extracurricular activities. The School Aid Fund should be allowed to serve its true purpose: funding of Michigan’s K-12 schools and nothing else.

For two years now, my Democratic colleagues and I have been calling for adequate funding for our schools at risk of a crumbling education system. The results are in. Your formula isn’t working. Our schools simply cannot operate under the means which you provided or failed to provide. Whether it’s skunk works or the EAA, the alternative suggestions simply aren’t making the cut. The people of Michigan would prefer to see budgets done right rather than budgets done quickly. Our citizens deserve a budget that provides real solutions to the problems our schools are facing.

I urge my colleagues to go back to the drawing board on this budget.

Senator Whitmer’s statement, in which Senator Smith concurred, is as follows:

I rise to oppose the Republican omnibus bill before us. See, it took the House and Senate Republicans on the conference committee all of one day to come to an agreement on this, but I am not so easily swayed. Actually, the fact that the House and Senate Republicans endorse this school funding proposal is enough to raise suspicion in my book. They say two wrongs don’t make a right, but with this budget, it looks like two majorities from the right can make a wrong.

For starters, this bill does nothing to counteract the unprecedented \$2 billion that has been slashed from our public schools under Governor Snyder and the legislative Republican majorities in the last three years—money that was used for corporate tax breaks. As much as you try, you cannot govern in a vacuum, and you can’t ignore your previous indiscretions just because they were in a different fiscal year. Students, parents, and teachers are still feeling the pain, and this budget before us offers no real relief.

We’ve seen schools from around the state—from Buena Vista Township to Albion to Ann Arbor—who are struggling to survive after the budgetary bloodbath they’ve already endured under the Snyder regime, and this year is no different, whether you want to admit it or not.

This budget also continues the same obstinate and insistent theft of money from the School Aid Fund—funds that are supposed to aid our public schools—now are taken from our kids to pay for the Community Colleges and Higher Education budgets to the tune of \$400 million a year. Your continued efforts year after year to exploit the School Aid Fund to fill other budget holes goes against the will of the people and jeopardizes the integrity of the democratic process.

My Republican colleagues also continue to insist on making the budget for higher education funding a Christmas tree for social conservatism, sneaking language into this bill that attacks universities that are leading groundbreaking stem cell research; universities that are at the forefront of offering domestic partner benefits and seeking to lead by example by requiring that all university employees—including counselors—treat all students equally regardless of their sexuality or any other distinguishing feature.

Also in this budget, new language is included allowing students in grades 5 to 12 to enroll in up to two online courses per semester with the consent of their parents, but the provider is paid 80 percent upon that student’s enrollment and 20 percent upon completion. The district determines whether the student gets credit for the class, but the provider gets paid either way, regardless of whether or not the child has learned anything. This is just the latest instance of Republicans pushing to turn our students over to unproven technologies and for-profit entities who have no vested interest in a student’s success.

While we are only being given a glimpse of this in this particular budget bill, the news headlines lately have painted a much broader picture. Simply put, Governor Snyder and legislative Republicans are trying to turn public education into a private enterprise. At every turn, Republicans are attacking our brick-and-mortar schools and our flesh-and-blood educators. Republicans are more comfortable entrusting our kids to a computer than a teacher, and Republicans want to put schools in the hands of a corporate CEO instead of a superintendent.

Let's look at the facts here. Over the last few months, we have seen a secret workgroup—including Snyder advisors—intentionally plotting the demise of Michigan's public schools, and we have even seen Snyder's chief of staff reveling in it. We have had Snyder's pet project, the Educational Achievement Authority, borrowing \$12 million from Detroit Public Schools, one of the state's most financially-strapped school districts that the EAA was supposed to be protecting. And we have had the EAA blatantly disregarding the law and willfully deceiving the federal government on a grant application.

All of this is true; we just weren't supposed to know about it. These backroom dealings and ethically—and even legally—questionable behavior have come to light through no admission of Governor Snyder, but rather the Freedom of Information Act and good, hard reporting. For all we know, the Governor's streak of bad PR could be the only thing protecting our public schools right now.

As we prepare to take this vote on the education budget bill, I want to implore my Republican colleagues to think long and hard about what you are about to do. You may have less trepidation about supporting this budget and its theft of \$400 million from our K-12 schools since you already did it last year, but that doesn't make it any more acceptable. Every year, you continue down the path of apathy and acquiescence regarding inadequately funding our schools. The more natural and normal it feels, the more hardened and heartless you become and the more numb.

As you head up to Mackinac Island to collect handshakes and backslaps from your corporate cronies and wealthy special interests for this budget, don't forget you're selling out our kids as well as yourselves. Regardless of what your leadership has told you or what you are trying to tell yourselves, by voting for this budget, you are about to vote against our schools, against our teachers, and against our kids. I urge you to break this vicious cycle and truly stand up for our schools by voting this budget down.

Senator Hood's statement is as follows:

I rise today because I can't support this budget. Diverting \$400 million from the School Aid Fund and community colleges and universities, regardless of the legality, is the wrong thing to do. The School Aid Fund was intended to be used for K-12 funding. Over the years, we have found a loophole, and I won't say we, but there are folks who have found the loophole that said it could be used for education. Grouping these budgets together—K-12, community colleges, and higher education—they tried to give us the impression that all of this can be done for education; to use the shell game so that we can take those K-12 dollars and use them in this manner.

A growing number of schools find themselves operating in deficit or taking extreme measures to balance their finances. What kind of education can we offer our students when schools are being closed and classrooms are filled beyond capacity and music class is considered a luxury only for the rich?

This budget does a disservice to our students and will only make the financial troubles of our school districts worse. We cannot hope to make Michigan a leader in job creation if we don't invest in our educational needs and what we need to produce a talented workforce.

The conference report also has some troubling language that runs counter to the constitutional autonomy of our public universities. Trying to sneak in a social agenda and dictate to our universities what their policies on partner benefits, stem cell research, and counseling should be only serves to perpetuate the image that Michigan is backward and unwelcoming.

This budget does not represent the right set of values for Michigan. It fails to invest in future generations, and it forces a social agenda where it does not belong. This budget does not represent our best effort and should not be supported by any of us. We can and must do better for the sake of our schools and our children.

I would ask that you join me in voting "no."

Senator Johnson's statement is as follows:

Mr. President, I rise today to outline my reasons for voting "no" on this bill. First, I must object to the way that this bill is being presented. I oppose the omnibus approach because I believe it serves to make the budgeting process less transparent to the citizens of this state. I cannot support this bill because it diverts nearly \$400 million out of the School Aid Fund to other budgetary items. I know that my colleagues on the other side of the aisle will justify this diversion, saying that it is legal, but just because an action is legal doesn't mean it is right.

This \$400 million diversion brings Governor Snyder's total school cuts to a whopping \$2 billion. There are currently 52 school districts across the state of Michigan running a deficit, more than double the number when Governor Snyder took office. Let me repeat that: Today, there are double the number of school districts operating under a deficit than when Governor Snyder took office. As school districts continue to spend their fund balances, this number is likely to grow before it shrinks. This is a severe indictment against the Governor's commitment to educating the children of this state. It proves his motivation lies more in skunk works-style vouchers and finding an end-around to implement school vouchers than providing a top-notch education to every child in Michigan.

The widespread nature of this problem proves that local mismanagement is not the culprit after all. Local mismanagement is a convenient scapegoat for majority Republicans to use when their policies create the circumstances that lead to reckless and failed emergency managers being appointed in Detroit; Buena Vista schools shutting down for a week and having payless paydays; Albion Public Schools closing its high school; and Lansing Public Schools mixing all of its arts and physical education teachers; and the list goes on and on. Indeed, these and other steps that many schools are taking to avoid going into deficit, Mr. President, like pink-slipping the majority of their teachers and cramming 50 kids into a classroom, are destructive to the children we are supposed to care so much about.

This budget also represents a backdoor attempt to introduce social issues into the budget process. While most Michiganders care about jobs and making sure our state's unemployment rate is no longer among the worst in the nation, the Republicans in both the House and Senate continue waging the culture war. These social issues are not supported by the voters and would likely be vetoed by the Governor if presented in separate bills.

This budget includes language on the sincerely-held religious beliefs of counseling students, which amounts to a license to discriminate. Similar language in the license-to-bully bill last year made our state a national embarrassment. The conference report seeks to eliminate benefits for domestic partners of university employees and seeks to restrict Michigan's stem cell research. This makes our state less competitive in attracting the highly-educated and talented workers we need. It means we could miss out on the billions of dollars this cutting-edge technology could produce.

The conference report also removes limits on the Competitive Student-Centric grants, leaving the door open for the unproven and financially-unstable EAA to receive all \$8 million. I have said from the beginning that the EAA is based on a faulty premise, has not worked, will not work, is mismanaged, and corrupt. I've shared with my colleagues information about the abuse of special needs students, the inexperienced teachers who have walked out on their pupils, and the lack of competent administration. Financially speaking, the EAA has not been in existence for an entire school year and already has been bailed out by the state using taxpayer dollars and by private foundations on multiple occasions. Originally, EAA Chancellor John Covington claimed 95 percent of funds would be allocated to the classroom and 5 percent to administration. He's since revised those numbers, Mr. President, to reflect 90 percent and 10 percent, respectively.

One of the taxpayer-funded cash advances from the state to the EAA was to fix glitches in the technology used to do the testing its proponents are now touting as reason to expand the system statewide. At the first baseline test, which is computer-based, some children's login and password information did not work, the Internet stopped working multiple times during testing, and some students lacked required headphones.

Of course, since so many kids are trapped in this failed experiment, I'm pleased that the glitches are fixed, but the damage to the integrity of the EAA's testing results has already been done, at great cost to the taxpayer. Considering that the EAA has not delivered on its promise to remediate students; has been under federal investigation through the U.S. Department of Education; blatantly and purposely lied to the U.S. Department of Education on major grant applications; is helmed by an administrator whose infamy is borne out of losing state accreditation as superintendent of the Kansas City Public Schools; and that truly bipartisan, bicameral education reforms done based upon research, not corporate interests, were wiped away in favor of this ill-conceived piece of policy. It is unacceptable to include \$8 million of funding for the EAA.

This budget doesn't represent the best interests of our students, Mr. President. It represents a callous balance sheet that does not account for the negative impact it will have on our children. I would ask that you all join me in voting "no" on this omnibus legislation.

Senator Bieda's statement is as follows:

I, too, am also rising in opposition to House Bill No. 4228, the Education Omnibus budget bill before us. A budget is a blueprint of our state's priorities. This one, unfortunately, represents a disinvestment in our schools and a disinvestment in our children. It contains many of the same flaws I pointed out during our debate on these individual bills in the Senate, and it continues many of the same misguided policies that my colleagues and I have railed against year after year.

While this school funding budget does not contain significant per-pupil cuts to our public schools this year, it also does not contain a spending increase that comes anywhere close to counteracting the nearly \$2 billion that has been cut from our public schools the last three years.

This budget also continues to ignore our State Constitution and the will of the people who passed Proposal A by taking \$400 million from the School Aid Fund this year alone to fund Community Colleges and Higher Education budgets. Despite this blatant shell game with education funding, our public universities and community colleges have not been made whole either and have been cut upwards of 15 percent in recent years.

Yes, a budget is a blueprint of our state's priorities. Let's not sell out our kids' or our state's future. We need to go back to the drawing board, and I respectfully request that people vote "no" on House Bill No. 4228.

Senators Kahn and Caswell asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Kahn's statement is as follows:

This bipartisan bill was voted for in the House by eight Democrats. It is a work product of the subcommittee chairs, specifically Senators Walker, Schuitmaker and Booher, who will, I believe, very likely wish to speak on this budget as well. There are some very simple take-home points that explain why this is a bipartisan budget and why it is good for Michigan and good for children.

The basic foundation allowance will be increased at least \$30 per pupil. Where the 2x formula will be used, there will be increases of \$60 for some. In addition, over \$250 per pupil will be an increase as represented by the MPSERS rate cap funding of over \$405 and an additional \$100 million for some districts. Pupil performance grants will see an increase in funding of \$46 million; best practices funding, \$80 million; technology infrastructure grants, \$50 million; and early childhood learning will see an increase of up to \$65 million. That's just in K-12.

In the community colleges, we'll see operation funding increases of 2 percent through the performance funding formula. MPSERS retirement payments will be paid \$31.4 million. Renaissance fund retirement will see a \$3.5 million increase. Virtual learning collaborative funding will see a \$1.1 million increase.

Higher education operations funding will be increased to \$21.9 million. That's a 2 percent increase. Tuition restraint is held to 3.75 percent. MPSERS reimbursement is also added at \$2 million. The TIP program, Tuition Incentive Program, will see an increase too. Children of veterans will see an increase for them.

There are many other points to be made here, but those are the highlights. I would have you remember one thing about this budget: It will send our K-12 schools almost \$300 per student, more funding increases than they have seen this century.

Senator Caswell's statement is as follows:

I've heard the passion from the other side, and I appreciate it very much. I'm just standing up to make a technical correction on some things that were said, and I think it is necessary to make this correction so that the citizens of the state understand clearly what is going on. There's been a comment made a couple times that \$400 million has been withdrawn from the School Aid Fund, and technically that is correct. What hasn't been mentioned is that there is \$230 million of General Fund money being put back into the School Aid Fund. So \$400 million was taken out, and \$230 million was put back in, and the net outflow is \$170 million.

Now that \$170 million compares quite favorably, if you will, to the fiscal year when our previous Governor and Legislature, for the first time, took money out of the School Aid Fund to help fund the community colleges. Now we can argue and have a very intelligent and thoughtful discussion about whether or not that should happen, but the fact of the matter is that there is a net outflow from the School Aid Fund of \$170 million, not \$400 million.

I think that information is necessary for the citizens of the state to understand clearly what has been done with this budget and to get an accurate reflection of what has taken place. As I said, the net outflow of \$170 million compares quite favorably to what was done under the previous Governor and Legislature.

By unanimous consent the Senate returned to the order of

Messages from the House

Senate Bill No. 165, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 204. Substitute (H-2).

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 223

Yeas—36

Ananich	Green	Johnson	Pavlov
Anderson	Gregory	Jones	Proos
Bieda	Hansen	Kahn	Richardville
Booher	Hildenbrand	Kowall	Robertson
Brandenburg	Hood	Marleau	Rocca
Casperson	Hopgood	Meekhof	Schuitmaker
Caswell	Hune	Moolenaar	Walker
Colbeck	Hunter	Nofs	Warren
Emmons	Jansen	Pappageorge	Whitmer

Nays—0

Excused—1

Young

Not Voting—1

Smith

In The Chair: President

Senator Hunter moved that Senator Smith be excused from the balance of today's session.
The motion prevailed.

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the full title.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 335, entitled

A bill to amend 2011 PA 142, entitled "Health insurance claims assessment act," (MCL 550.1731 to 550.1741) by amending enacting section 2.

(This bill was returned from the House without amendment on May 23 and the recommendation for immediate effect postponed. See Senate Journal No. 49, p. 724.)

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the full title.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 51, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7jj (MCL 211.7jj[1]), as added by 2006 PA 378.

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,
The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 224

Yeas—36

Ananich	Green	Johnson	Pavlov
Anderson	Gregory	Jones	Proos
Bieda	Hansen	Kahn	Richardville
Booher	Hildenbrand	Kowall	Robertson
Brandenburg	Hood	Marleau	Rocca
Casperson	Hopgood	Meekhof	Schuitmaker
Caswell	Hune	Moolenaar	Walker
Colbeck	Hunter	Nofs	Warren
Emmons	Jansen	Pappageorge	Whitmer

Nays—0

Excused—2

Smith

Young

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the full title.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 54, entitled

A bill to amend 2006 PA 379, entitled “Qualified forest property recapture tax act,” by amending section 5 (MCL 211.1035).

(This bill was returned from the House without amendment on May 28 and the recommendation for immediate effect postponed. See Senate Journal No. 50, p. 733.)

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the full title.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 55, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7dd (MCL 211.7dd), as amended by 2012 PA 324.

(This bill was returned from the House without amendment on May 28 and the recommendation for immediate effect postponed. See Senate Journal No. 50, p. 733.)

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the full title.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 56, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 9301, 9302, 9304, 9307, 9308, and 9310 (MCL 324.9301, 324.9302, 324.9304, 324.9307, 324.9308, and 324.9310), sections 9301, 9302, 9304, 9308, and 9310 as amended by 1998 PA 463 and section 9307 as amended by 2004 PA 439, and by adding sections 51301, 51302, 51305, and 51306; and to repeal acts and parts of acts.

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,
The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 225

Yeas—36

Ananich
Anderson
Bieda

Green
Gregory
Hansen

Johnson
Jones
Kahn

Pavlov
Proos
Richardville

Booher
 Brandenburg
 Casperson
 Caswell
 Colbeck
 Emmons

Hildenbrand
 Hood
 Hopgood
 Hune
 Hunter
 Jansen

Kowall
 Marleau
 Meekhof
 Moolenaar
 Nofs
 Pappageorge

Robertson
 Rocca
 Schuitmaker
 Walker
 Warren
 Whitmer

Nays—0

Excused—2

Smith

Young

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
 The recommendation was concurred in, 2/3 of the members serving voting therefor.
 The Senate agreed to the full title.
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 57, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 8703, 8707, 8708, and 8709 (MCL 324.8703, 324.8707, 324.8708, and 324.8709), as amended by 2011 PA 2.

(This bill was returned from the House without amendment on May 28 and the recommendation for immediate effect postponed. See Senate Journal No. 50, p. 733.)

The question being on concurring in the committee recommendation to give the bill immediate effect,
 The recommendation was concurred in, 2/3 of the members serving voting therefor.
 The Senate agreed to the full title.
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 58, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 50301 and 50302 (MCL 324.50301 and 324.50302), as added by 1995 PA 57.

(This bill was returned from the House without amendment on May 28 and the recommendation for immediate effect postponed. See Senate Journal No. 50, p. 734.)

The question being on concurring in the committee recommendation to give the bill immediate effect,
 The recommendation was concurred in, 2/3 of the members serving voting therefor.
 The Senate agreed to the full title.
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

By unanimous consent the Senate proceeded to the order of

Resolutions

Senator Meekhof moved that consideration of the following resolution be postponed for today:

Senate Resolution No. 34

The motion prevailed.

The question was placed on the adoption of the following resolution consent calendar:

Senate Resolution No. 63

The resolution consent calendar was adopted.

Senators Hood and Young offered the following resolution:

Senate Resolution No. 63.

A resolution recognizing the contributions that Maker Faire Detroit has made in the state of Michigan.

Whereas, Maker Faire Detroit will be held on July 27-28, 2013, on the National Historic Landmark of The Henry Ford campus in Dearborn, Michigan; and

Whereas, The Henry Ford is a multi-day, multi-venue American history destination that presents and celebrates the stories of American innovation, ingenuity, and resourcefulness—past, present, and future; and

Whereas, Maker Faire Detroit, being one of just three major Maker Faires in the country, will attract tourism to metro Detroit from around the country; and

Whereas, This event will inspire the creative, innovative maker spirit of the visiting public through a variety of compelling and engaging interactive demonstrations; and

Whereas, Maker Faire Detroit will host more than 400 makers, visionaries, techies, inventors, entrepreneurs, and other creative craftsmen who will take new approaches to science, technology, engineering, and math with the intent to entertain, inform, connect, and inspire; and

Whereas, It will offer the opportunity for the public, especially youth, to interact with the makers and engage in hands-on workshops and exhibitions; and

Whereas, Maker Faire Detroit will present an array of engaging experiences in such areas as electronics, robotics, transportation, alternative energy, and sustainable agriculture; and

Whereas, Maker Faire Detroit will create an environment that will inspire not only invention and innovation, but also a positive can-do attitude and culture; and

Whereas, These attitudes and experiences can develop into lifelong habits and generate opportunities for individual and community prosperity; and

Whereas, The event will inspire the future inventors, innovators, and entrepreneurs of Michigan; and

Whereas, The innovative spirit will come alive at The Henry Ford campus in the form of Maker Faire Detroit, with a two-day celebration of curiosity, wonderment, exploration, inventiveness, and hands-on making of a new generation of inventors; now, therefore, be it

Resolved by the Senate, That we hereby acknowledge the contributions that Maker Faire Detroit has made to the state of Michigan and recognize July 27-28, 2013, as Maker Faire Detroit weekend in Michigan.

Senators Anderson, Booher and Hopgood were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senators Casperson, Walker and Green introduced

Senate Bill No. 396, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 34d (MCL 211.34d), as amended by 2012 PA 185.

The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Casperson and Walker introduced

Senate Bill No. 397, entitled

A bill to amend 2010 PA 275, entitled “Next Michigan development act,” by amending section 5 (MCL 125.2955).

The bill was read a first and second time by title and referred to the Committee on Economic Development.

Senators Casperson and Walker introduced

Senate Bill No. 398, entitled

A bill to amend 2010 PA 275, entitled “Next Michigan development act,” by amending section 4 (MCL 125.2954).

The bill was read a first and second time by title and referred to the Committee on Economic Development.

Senators Warren, Hopgood, Gregory, Hood, Ananich, Whitmer, Bieda, Johnson and Hunter introduced

Senate Bill No. 399, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 5491 (MCL 333.5491), as added by 2007 PA 159, and by adding section 5494.

The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senators Warren, Hopgood, Gregory, Hood, Ananich, Whitmer, Bieda, Johnson and Hunter introduced
Senate Bill No. 400, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5493 (MCL 333.5493), as added by 2007 PA 159, and by adding sections 5495, 5496, 5497, and 5498.

The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senator Richardville introduced

Senate Bill No. 401, entitled

A bill to amend 2010 PA 296, entitled "Art institute authorities act," (MCL 123.1201 to 123.1229) by amending the title and by adding section 31.

The bill was read a first and second time by title and referred to the Committee on Government Operations.

House Bill No. 4743, entitled

A bill to amend 2011 PA 256, entitled "Michigan fireworks safety act," by amending sections 4, 5, 7, 10, 11, 12, and 18a (MCL 28.454, 28.455, 28.457, 28.460, 28.461, 28.462, and 28.468a), sections 4 and 12 as amended and section 18a as added by 2012 PA 257.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Regulatory Reform.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Meekhof moved that when the Senate adjourns today, it stand adjourned until Tuesday, June 4, at 10:00 a.m. The motion prevailed.

Committee Reports

The Committee on Transportation reported

Senate Bill No. 263, entitled

A bill to amend 1976 PA 295, entitled "State transportation preservation act of 1976," by amending section 10 (MCL 474.60), as amended by 2012 PA 42; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Kowall, Brandenburg, Pavlov, Hood and Ananich

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Tuesday, May 28, 2013, at 12:30 p.m., Room 100, Farnum Building

Present: Senators Casperson (C), Kowall, Brandenburg, Pavlov, Hood and Ananich

Excused: Senator Hansen

COMMITTEE ATTENDANCE REPORT

The Conference Committee on School Aid (SB 182) submitted the following:

Meeting held on Tuesday, May 28, 2013, at 8:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Walker (C), Kahn and Hopgood

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Education (SB 196) submitted the following:

Meeting held on Tuesday, May 28, 2013, at 8:15 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Walker (C), Kahn and Hopgood

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Transportation (SB 184) submitted the following:

Meeting held on Tuesday, May 28, 2013, at 9:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Pappageorge (C), Kahn and Anderson

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Education Omnibus (HB 4228) submitted the following:

Meeting held on Tuesday, May 28, 2013, at 9:45 a.m., House Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Kahn, Moolenaar and Hopgood

COMMITTEE ATTENDANCE REPORT

The Conference Committee on General Omnibus (HB 4328) submitted the following:

Meeting held on Tuesday, May 28, 2013, at 9:55 a.m., House Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Kahn, Moolenaar and Anderson

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Insurance and Financial Services (SB 189) submitted the following:

Meeting held on Tuesday, May 28, 2013, at 11:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Jansen (C), Kahn and Johnson

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Human Services (SB 192) submitted the following:

Meeting held on Tuesday, May 28, 2013, at 11:15 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Caswell (C), Kahn and Gregory

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Natural Resources (SB 188) submitted the following:

Meeting held on Tuesday, May 28, 2013, at 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Green (C), Kahn and Hopgood

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Environmental Quality (SB 195) submitted the following:

Meeting held on Tuesday, May 28, 2013, at 12:15 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Green (C), Kahn and Hopgood

COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Meeting held on Tuesday, May 28, 2013, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Nofs (C), Proos, Marleau, Schuitmaker, Walker, Hopgood, Bieda and Young

Excused: Senator Jones

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, May 28, 2013, at 3:30 p.m., Room 110, Farnum Building

Present: Senators Jones (C), Schuitmaker, Rocca and Bieda

COMMITTEE ATTENDANCE REPORT

The Committee on Reforms, Restructuring and Reinventing submitted the following:

Meeting held on Wednesday, May 29, 2013, at 8:30 a.m., Rooms 402 and 403, Capitol Building

Present: Senators Jansen (C), Colbeck, Casperson, Kowall, Robertson and Warren

Excused: Senator Young

Senator Meekhof moved that the Senate adjourn.

The motion prevailed, the time being 11:49 a.m.

In pursuance of the order previously made, the President, Lieutenant Governor Calley, declared the Senate adjourned until Tuesday, June 4, 2013, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

